

**Participatory Approaches and Decision-Making in the Msunduzi Municipal
Council's Local Agenda 21 Working Committee**

**A research project submitted as part fulfilment of the requirements for a Master of
Social Science Degree in Policy and Development Studies in the Faculty of Human and
Management Science**

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DECLARATION

I, Matseliso Sejane hereby declare that this thesis is my own work unless where stated otherwise. I also declare that the thesis has not been submitted to any other university for degree purposes.

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Participatory Approaches and Decision-Making in the Msunduzi Municipal Council's Local Agenda 21 Working Committee

Matseliso A. Sejane

Abstract

The study stemmed from the observation that the Msunduzi Municipal Council has adopted the principles of Agenda 21. The aim was to examine participatory approaches employed by the Local Agenda 21 Working Committee. The research findings have signalled the importance of improving public involvement in environmental decision-making. Yet the participatory approaches employed by the working committee such as advertisements and council meetings have proved inadequate to effectively meet the challenge of constructively involving the public. One reason is a lack of understanding on what public participation is supposed to accomplish.

The Msunduzi Municipal Council is faced with the challenge of making high quality decisions while remaining responsive to the citizens those decisions affect. Meeting the challenge in the environmental policy arena poses particular problems because issues are often technically complex and value-laden, and multiple interests operate. At the same time, experience with public participation to support the position that involving the public is a mitigated good and more of it is always better, has not yet penetrated council structures.

The Council is increasingly seeking better ways to fulfil its constitutional mandates while constructively engaging the public in environmental decision-making. Representatives of business and civil society are now included in joint forums with the council. They bring with them expertise and local perceptions to the policy-making process. It has been found out that members of civil society have led the way in showing connections between the environment and development.

The effectiveness of promoting environmental equity depends upon the use of participation methodology that caters to the cultural and socio-economic needs of groups. The use of social capital is one way of organising and ordering individuals into productive associations. Local Agenda 21 makes possible social capital through the involvement of different stakeholders in environmental management and decision-making.

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DEDICATION

This work is dedicated to my son, Thabo.
“You are the wind beneath my wings”!

Preface

The research portfolio is divided into three parts. Part one deals with the theoretical perspective. It focuses on policy literature in general guided by social capital perspective that informs the study. Part two gives the general context of environmental policy in South Africa. The third part is the final report, which uses Parts One and Two and the preliminary case study to examine the Msunduzi Municipal Council's participatory approaches to environmental management and decision-making.

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ACRONYMS

| | | |
|---------|---|---|
| ACDP | : | African Christian Democratic Party |
| ANC | : | African National Congress |
| CBO | : | Community-Based Organisation |
| CEAD | : | Center for Environment and Development |
| CENGOPO | : | Center for Government and Policy |
| CONNEP | : | Consultative National Environmental Programme |
| COSATU | : | Congress of South African Trade Union |
| DBSA | : | Development Bank of Southern Africa |
| DA | : | Democratic Alliance |
| DEAT | : | Department of Environmental Affairs and Tourism |
| DWAF | : | Department of Water Affairs and Forestry |
| EJNF | : | Environmental Justice Network Forum |
| GREEN | : | Greater Edendale Environmental Network |
| IBEE | : | Industry and Business Environmental Education |
| IDP | : | Integrated Development Plan |
| IFP | : | Inkatha Freedom Party |
| KPCA | : | Keep Pietermaritzburg Clean Association |
| KZN | : | KwaZulu-Natal |
| LA 21 | : | Local Agenda 21 |
| LNGF | : | Local Government Negotiating Forum |
| LGTA | : | Local Government Transition Act |
| MF | : | Minority Front |
| NEMA | : | National Environmental Management Act |
| NGO | : | Non-Governmental Organization |
| PCCI | : | Pietermaritzburg Chamber of Commerce and Industry |
| UNDP | : | United Nations Development programme |

Participatory Approaches and Decision-Making in the Msunduzi Municipal Council's Local Agenda 21 Working Committee

1.0 Overview

South Africa's negotiated evolution from a white minority rule to democracy has extricated the country from centuries of racial oppression and, in considerable fanfare, brought South Africa back into the global family. One of the most remarkable aspects of this dramatic process of transformation that the country has undergone is the long, patient negotiation of structures of institutional change driven from below. There was a complex multi-layered negotiation process that took place to manage the local government transition to a non-racial and democratic order. The apartheid system of government was highly centralized and marked by criticism of rigidity, inefficiency and unresponsiveness.

People who were active in formal and informal community organizations increasingly mobilized political pressure for decentralization in South Africa. In 1992/93 the national negotiators realized that a national framework was needed to guide the local government transition process through local forums. The result was the establishment of the National Local Government Negotiating Forum (NLGNF) in early 1993 (Swilling and Boya, 1995:175). It was a non-statutory voluntary body that signified an agreement reached by the government and those excluded from the formal decision-making processes. They rapidly negotiated a Bill that was eventually promulgated as the Local Government Transition Act (No 207 of 1993). This was a redefinition of the country's quest for democratically elected local government since local authorities were divided along racial lines.

There were the Black Local Authorities, constituted in terms of the Black Local Authorities Act of 1982, for instance (Swilling and Boya, 1995:179). As far as black townships were concerned, they had virtually no commercial or industrial base. They were residential areas populated by people who worked in white industrial areas. This means labour from the townships, plus consumer spending helped built up the economic base of white areas. This economic base in turn created a viable tax base for the White Local Authorities and enabled the cross subsidization of white suburbia. It can be

argued, accordingly, that systematic underdevelopment of black townships was a result of the net financial drain of resources from poor black to richer white areas. The capital flight from poor rural to the well to do urban areas created geographic inequality. Apartheid has consequently damaged spatial, economic and the environment in which people live, work and raise families. The democratically elected government led by the African National Congress (ANC) has committed itself to correcting these social ills by building a democratic system of local government that seeks to empower marginalized and excluded groups within the community.

There is a conflict between job creation and other economic demands as well as environmental interests. In a country in such a dire need for development and jobs, the environment often takes a back seat as a social pressing issue in some people's minds. Only when people fall ill does the choice between a clean, healthy environment and a job become a less difficult one to make. As long as people live in poverty, their need for income will take precedence over environmental concerns. Educating the public on the right to a clean and a healthy environment is one way to ensure that people can choose the kind of environment they live in. The reduction of poverty is the first concern people have. It explains why some polluting industries have been welcomed since jobs are more important. However, a slowly growing number of people have come to realize that if economic activity that gives jobs to people harms the environment at the same time, the benefits from that economic activity will be short-lived.

It is a notable fact that every human activity affects nature and the environment, which has a great generative capacity, but is not limitless. The deteriorating conditions of nature and the environment in turn affects human activities, and especially human health. In other words, there is an undesirable relationship between humans and their natural environment. All signals indicate that the balance between them have been seriously disturbed. This not only threatens nature and the environment, but also the continuation of social and economic development. Development is more than economic growth. It also includes social changes that are caused by or accompany economic growth. Therefore it is essential that control of this balance be restored. This can be achieved

through the interaction between government, business and civil society. This kind of relationship is fruitful in encouraging decisions that encompass stakeholders' views in the process. More importantly, it will lead to a strong social support for joint responsibility in tackling and solving the problems in respect to the environment. This participation is a considerable element in democratic development, based on mutual respect and confidence.

Although the level of citizen understanding on environmental issues is commonly low, as compared to other social, economic and political issues, citizens have profound knowledge in how crucial natural resources are, and how they can be used while ensuring environmental protection. It is essential that people be informed as to the state of the environment and of issues which may affect the environment in order that their participation is meaningful. Participation, according to Brinkerhoff (1999:127), "... leads to better policy targeting and also can build ownership for policy solutions among beneficiaries and implementers". Therefore participation is valuable for its empowerment potential in democratic governance. Strengthening relations with citizens is a sound investment in better policy-making and a core element of good governance. Equally important, it builds public trust in government, raising the quality of democracy and strengthening civic capacity. According to Clark (1991:25), for a sustainable and trusting partnership between government and the people to be possible, full human rights must be guaranteed. This means that all forms of discrimination, whether on grounds of race, political, religious, ethnic or gender must be eradicated. This conception reflects the idea that there is an equal balance of power between interests, and this is drawn from the political life in a democracy.

According to Minogue, Polido and Hulme (2000: 5) "modern government is about much more than efficiency, it is also about the relationship of accountability between the state and its people who have the right to hold their government to account for the actions they take or fail to do." This reform strategy is meant to strengthen the institutions of civil society and make government more democratic. This is a common characteristic of democratic rule. It stresses the role of ordinary citizens in making public decisions and

solving public problems in everyday environments like community organizations, neighborhoods. Diamond (1999:122) asserts that people learn by their direct involvement in local affairs what is possible, practical and expedient. That kind of citizen involvement in decision-making is essential in deepening and consolidating democracy.

Much environmental destruction is extremely difficult for the political system to deal with, since the damage often shows up many years after environmental damage takes place. It is now clear that prevention is much cheaper than trying to clean up the damage after it has occurred and when the nature of politics did not lend itself to long term planning. Usually politicians have a rather short-term approach, as do many businesses. Both are judged on their performance in handling immediate problems such as housing, job creation, and profit. This encourages a tendency to take actions showing some immediate results. Such actions further the politicians' chances for reelection and the businessman's profits or chances for promotion. Yet environmental problems often call for laws and long-term decisions that are directed at settling conflicts that arise among people living together in a community, and achieving commonly desired goals.

Government has come to realize that economic growth is not enough. Attention is paid to its effect on the environment as well as the people. There is awareness that continues to grow that it is much cheaper and there is much less suffering of the environment if people try to reduce the harmful effects of the economic activity at the beginning, when it is planned, than after the damage appears. Section 2 of the White Paper on Local Government establishes a new developmental local government system. Section B of the White Paper on Local Government discusses the characteristics of developmental local government and its role in improving the quality of life of its communities in a sustainable way; thus it is committed to working with citizens and groups to meet social and economic needs. Consequently the promotion of local economic development and community empowerment is the responsibility of the local sphere.

Agenda 21 specifically calls for each community to formulate its own Local agenda. Turner and Hulme (1997:151) allege that "excessive concentration of decision-making

and authority within central government is a major obstacle to the effective performance of public sector institutions". These institutions are perceived to be geographically and socially remote from the people because decisions are taken without knowledge or concern about actual problems and preferences of the communities. The popular remedy for such centralization is decentralization. The concept of decentralization according to Turner and Hulme (1997:151) is "imbued with many positive connotations of proximity, relevance, autonomy, participation, accountability and even democracy". Popular democratic theory stresses the importance of direct participation in instilling democratic values in citizens and strengthening the body politic.

With South Africa's transition to political democracy in 1994, far-reaching changes were instituted in the domains of political decision-making and public policy-making (Booyesen and Erasmus, 1998). The production of new policies became one of the immediate yardsticks of transformation in South African politics and society. The need for new policy on local government arose in the context of the ongoing transition to democracy. An indispensable issue facing citizens and governments in modern democracy is the direct participation of the public in the solution of environmental problems. Solving environmental problems necessitates some form of public participation, as prescribed by Agenda 21.

1.2 Statement of the Problem

One of the most important structures prescribed by the national government to achieve integrated and sustainable environmental management is cooperative governance in finding solutions to local environment and developmental issues. For the Msunduzi Municipal Council to be effective in carrying out its environmental responsibilities, it needs to work hand in hand with other organs of the state such as Departments of Water Affairs and Forestry, Minerals and Energy, Environmental Affairs and Tourism, Health, Agriculture and Transport. More significantly cooperation and coordination between and across other spheres of government is prescribed by the Constitution of the Republic of South Africa (Act 107 of 1996).

The problem of administrative fragmentation in environmental affairs, coupled with a plethora of environmental legislation and regulations across the mentioned departments contributes to inefficiency, including duplication of functions and lack of clarity as to who is responsible, can lead to inaction (Kidd, 1997:168). The constitutional devolution of governmental power over the environment to South Africa's nine provinces might complicate the administration of environmental quality control, and might exacerbate the problems created by the absence of a coordinated approach to environmental management. The environment remains the national competence, with the national sphere setting framework and standards for other spheres to comply with and implement.

It is clear that effective environmental programs require complex partnerships among diverse government, civic and business actors at the local level. But it is also quite apparent that there are limited institutional capacities. The Msunduzi Municipal Council has to work within the constraints of the need for visible results to motivate for continued grassroots participation and support in environmental management. I will argue that the development of environmental policy needs to be a combined effort that reflects the inputs of the public and all interested and affected parties, to achieve sustainable development and sound environmental management.

1.3 OBJECTIVES OF THE STUDY

1.3.1 General objective

The general objective was to look at participatory approaches in environmental management employed by the Msunduzi Municipal Council's Local Agenda 21 Working Committee.

1.3.2 Specific Objectives

- ☐ To establish to what extent the Local Agenda 21 is effective in addressing environmental problems in Pietermaritzburg
- ☐ To find out whether early and continuous stakeholder involvement led to acceptance of basic legitimacy of regulation and greater mutual respect between stakeholders who interact on a regular basis.
- ☐ To find out whether successful public participation rely on formal networks of

cooperation.

- To examine how public participation in LA 21 has been encouraged in environmental decision-making

1.4 Hypothesis

Networks of civic engagement such as community-based organizations (CBOs), non-governmental organizations (NGOs), business, labour, media and government, are an essential form of social capital, and the denser these networks, the more likely that members of a community will cooperate for mutual benefit.

1.5 Justification of the Study

It is envisaged that this study will bring to the fore certain factors that will enhance the efficacy of the Msunduzi Municipal Council's integrated environmental management. The findings of the study clarify specific council and stakeholder roles and functions considered critical for improving public participation in environmental management and decision-making. This further provides information to the provincial and national governments that it is necessary to strengthen the capacity of local government in carrying out its environmental obligations as provided for in the Constitution of the Republic of South Africa (Act 108 of 1996).

Intended beneficiaries of the study are policymakers, governments, business and the communities. This is so in that many people think those environmental problems are for other people or the government to do something about. There is evidence that environmental issues impact on the quality of life of each and everyone, as well as all future generations. Activities can thus be undertaken by all stakeholders to contribute to sustainability and taking ownership of improving their own environments and future generations.

Councillors and officials who do not have an adequate knowledge base available to permit them to be very specific about which forms of citizen participation might work to solve problems, or which might exacerbate these and create heavy political costs will

benefit from the findings of the case study. This is aimed at making recommendations to redress the constraints that the Msunduzi Municipal Council is experiencing to enhance effective public participation in environmental management.

1.6 Conclusion

This section gave an overall picture of what participation in a democratic dispensation entails, and how that translates in environmental awareness and policy-making. A government making decisions represents the public interest of the population as a whole and has a general responsibility. The government, therefore, will not always be able to take individual or collective interests into account. According to Hampton (1999:164), “when environmental inequity does occur, public participation can promote equity or prevent further environmental injustice. In practice, environmental justice requires equal access to decision-making regardless of race, heritage or economic class.” There are many forms of social capital, and the challenge is to locate and mobilize those forms that can contribute to public problem solving and democratic participation

Public participation can be effective in promoting equity or can serve to hide issues and concerns if inadequate methodology is utilized. All stakeholders, affected by an environmental policy decision, need to be treated consistently in a consultation process in order for equity to be secured (Hampton, 1999: 165). The next section is Portfolio 1 and discusses policy literature in general and social capital as an explanatory tool for successful environmental management and decision-making.

2.0 SOCIAL CAPITAL AND POLICY LITERATURE

2.1 Introduction

This section is aimed at reviewing existing literature and theories on public participation and decision-making. There are many theories that explain public participation and decision-making in liberal democracies such as group theories and pluralism. From the democratic governance point of view, increased participation of civil society groups and beneficiaries in policy implementation networks can be “one of the means by which accountability, transparency, and responsiveness features of democratic governance are operationalised and reinforced” (Brinkerhoff, 1999:128). Consequently the promotion of human development takes place in the process, while also providing the best means for people to protect and advance their shared interests. Diamond (1999:3) maintains that “the greater the opportunities for expressing, organizing and representing political preferences, the greater the number and variety of preferences and interests that are likely to be represented in policy-making.”

A vital issue facing the citizens and government in a modern democracy is the direct participation of the public in addressing environmental problems. For example, until recently, environmental management was generally the task of the governments, a task which mainly implied adopting laws, and making sure they were being observed. However, gradually there has been a growing awareness that government, industry, and civil society as a whole are jointly responsible for the well being of the environment. In many respects this public role is being recognized and developed. It is a relatively new phenomenon in the whole decision-making process.

2.2 Democracy and Governance

There has been a significant rethinking of the role of government and of what public management means (Brinkerhoff, 1999:124). The consideration of governance is encapsulated in the idea of the hollow state and the admonition that government should row and not steer. The focus is on democratic governance taking place through networks. Networks are state-civil relations and collaboration is “cross-sectoral. The view is not of individuals, *per se*, but rather of

individual actors who are seen as a connected interdependent whole” Linking governance to democracy brings in issues of legitimacy and responsiveness. It gives emphasis to managing public affairs in a transparent, participatory and accountable manner. In democratic dispensations, for instance, the voices of silent citizens have been added into the equation of governance, advocating a relationship between government and the governed.

Democracy is not just about the right to vote in government - important as that is. It is about a whole set of rights, which citizens must be afforded if a government is to be open, accountable and participatory. These rights include freedom of speech, access to state information, particularly about specific state plans for those directly affected by them and the right to be consulted in such decisions. Wagle (2000:213) maintains that “the process of policy-making needs to be democratic, allowing free interplay of ideas among policy scientists which naturally is aimed at improving the quality of policy deliberations”. Therefore, the notion of policy science of democracy will be meaningful only when citizens who are the ultimate stakeholders of public policies have their say in policy-making. Only those policies that are formulated in a democratic approach, emphasizing policy discourse among various constituencies, can, in reality, reflect preferences, values, needs and interests of citizens in their diversified groups. This is especially so, for example, in that clean water, clean soil and careful management of natural resources concerns everyone, everywhere. John (1998:68) asserts that “groups are repositories of expertise: they can help make a policy legitimate, and their cooperation can ensure the successful implementation of a policy”. The importance of interaction between the participants in the policy process is therefore stressed.

Diamond (1999:219) agrees that “the mass public matters for democratization in two ways, in its pivotal role in helping to effect a transition to democracy, and in the never-ending quest to deepen democracy beyond its formal structures”. The accentuation of governance is the role of citizens, both individually and organized in various forms of association, in the policy process, from issue identification, to formation, implementation, feedback and evaluation of results.

Governance is understood as a socio-political order that results from the interaction of a number of official and non-official actors. It becomes clear that effective policy programs require complex partnerships among diverse government, civic and business actors. In this regard citizen participation is not the end, rather it is a means to democratic policy-making which contributes to the overall well being of citizens. The concept of governance points to the creation of a structure or an order that cannot be imposed but is the result of the interaction of a multiplicity of governing and each-other-influencing actors (Kooiman and Van Vliet, 1993:64). It is against this background that for a more balanced kind of relationship, civil society should be seen as equally significant and indispensable in the socio-political scheme, just as the state and business are.

Kooiman and Van Vliet (1993) pronounce again that there are multiple forms of order, including the order that emerged from market transactions and the order achieved through shared norms. This means that the government is not necessarily central to processes of achieving order or governance. While it is true that progress is attained in moving away from dictatorship to popular participation and accountable government, the overall impact of the reform efforts is still less than anticipated in some countries that are still enjoying their infant democracy. The possibility is perhaps that institutional preconditions for the establishment of a regime based on the genuine will of the people was overlooked. The neglect of the institutional safety-value in the democratization process further explains the acceleration towards chaos and the rapid decay of civil society in a few countries (Balagun, 1995:102)

2.3 Social Capital Perspective

This study was informed by social capital, an explanatory tool that has been around for decades and given a number of definitions. For purposes of this study, it was used according to the generally accepted conceptions of the World Bank (1999), James S. Coleman (1988) and Robert D. Putnam (1993; 2000), whose works has made social capital come into prominence. They define social capital as an informal norm that promotes cooperation between two or more individuals. This perspective is chosen against all other explanatory tools of participation and decision-making such as pluralism and group theory because it is meant to respond to a variety of problems such as environmental problems in a democratic context.

On the contrary, a pluralist perspective views government not as a manager of the public will, but as an arbitrator among various organised interest groups. In pluralism, there is no objective common good, but a relative common good arising out of the free deliberation and negotiation among organized interest groups (Williams and Matheny, 1995). It is for this shortfall of pluralism that social capital will guide this study. Social capital has come to mean all things to all people: for some it is a defense against big government, a justification for small government and a reason for changing not the size, but the functions of government. This perception is based on the political conception of public sector reform, which examines government in the context of its broad relations to society and the economy, following the democratic principles.

2.3.1 Definitions of Social Capital

For purposes of clarity and understanding two definitions of social capital are given.

According to the World Bank's definition,

Social capital refers to the institutions, relationships and norms that shape the quality and quantity of a society's social interactions. Social capital is not just the sum of the institutions which underpin a society – it is the glue that holds them together (World Bank, 1999).

Putnam has looked to the density of social networks that people are involved in, the extent to which they are engaged with others in informal, social activities and their membership of groups and associations, and thus defines social capital as:

connections among individuals - social networks
and the norms of reciprocity and trustworthiness
that can arise from them. In that sense social capital
is closely related to what some have called 'civic virtue'.
(Putnam, 2000:19).

Social capital is a framework that supports the process of learning through interaction and requires the formation of networking paths that are both horizontal (across agencies and sectors) and vertical (agencies to communities to individuals). The basic premise encapsulated in the two definitions of social capital is that interaction enables people to build communities, to commit themselves to each other, and to knit the social fabric. A sense of belonging and the concrete

experience of social networks, and the relationships of trust and tolerance that can be involved can bring great benefits to people. Trust between individuals thus becomes trust between strangers and a broad fabric of social institutions, and ultimately it becomes a shared set of values, virtues and expectations within society as a whole. Without this interaction on the other hand, trust decays at a certain point.

2.4 The Importance of Social Capital and Networks

Policy networks are usually portrayed as interdependent and have equal patterned relationships. However, different actors occupy different positions and can carry different weight within networks. Organizations also differ with regard to resource dependencies, leading to power differences. It is emphasized that social capital is more likely to be productive in voluntary cooperation. Putnam (1993:165) argues that “societies that rely heavily on the use of force are likely to be less efficient, more costly, and more unpleasant than those where trust is maintained by other means.” Thus, achievements of certain tasks in a community would not be attainable in the absence of social capital. This can also translate to public policies that are formulated and implemented with a strong participatory civil society. In this regard when peoples’ views and opinions are respected, and may be incorporated in decision-making processes, the likelihood of even unpopular policies being implemented is very high. As long as people believe that they are being listened to and their input respected, they are bound to assume ownership of the decisions collectively. Members of a group, for example, manifests trust in one another, which would be difficult to accomplish if members did not spontaneously get together for mutual understanding.

Putnam (1993:168) affirms that “cooperation is founded on a very sense of the mutual value to the participants of such cooperation, not on a general ethic of unity of all men or on an organic view of society.” In the manner indicated, voluntary organizations/associations are fed by the underlying principle of social capital which people display towards one another for greater mutual confidence. Clark (1991:14) holds that voluntary organizations involve their participants in the sharing of an ideal or a vision for changing society, in the common commitment to the eradication of poverty or injustice and in the voluntary making of sacrifices or the taking of risks to attain these goals. One can conclude, therefore, that voluntary cooperation is easier in a

community that has inherited a substantial stock of social capital in the form of norms of reciprocity and networks of civic engagement. (Putnam,1993:167). Behaviours that bind the members of human networks and communities also make cooperative action possible.

O'Toole (1997:45) defines networks as structures of interdependence involving multiple organizations or parts thereof, where one unit is not merely the formal subordinate of the others in some larger hierarchical arrangement". Networks of civic engagement such as cooperatives, associations and sports clubs, are an essential form of social capital, and the denser these networks, the more likely that members of a community will cooperate for mutual benefit. The rationale for state-civil society networking is that in the face of excessive state dominance with crippling public sector incapacity and resource shortages, there is a need to scale back the scope and reach of government (World Bank, 2000). This argument is based on the premise that interactions between government and civil society networks generate synergistic effects in that more and better outcomes are attained than if the network partners acted independently.

Moreover, one of the advantages of having networks is that they construct strong norms of generalized reciprocity by creating expectations that favours given now will be returned later for the common good. Secondly, networks facilitate coordination and communication, and thus create channels through which information about the trustworthiness of other individuals and groups can flow, and be tested and verified. More importantly, networks increase the potential risks to those who act opportunistically, in that they will not share in the benefits of current or future transactions. This signals a move away from a lack of trust of what the government does. Brinkerhoff, in his study of *State-Civil Society Networks for Policy Implementation* (2000), has identified four situational variables for the emergence and success of networks. These include regime type, level of trust, legal framework and regulation and the nature of the policy to be implemented.

The issue of social capital building requires the analysis of power relations. The power to decide what will be a policy issue is crucial to the policy-making process. This is especially so because actors rarely agree on what the issues are. Where power is distributed pluralistically, any

problem can be dismissed or placed on the agenda of national decision-making depending on who is behind the issue. For instance, in situations where social justice is impaired, factionalism lead to wasteful tension and fighting, and offended parties will resent and perhaps seek to undermine the state. For this reason, the country's human assets will not be used to their full potential. Just as the state is the leading actor in governance and has a special status as the administrator of justice, so the intellectual as critic and watchdog has a special role to play in civil society. Clegy and Hardy (1996:679) remind us that "we cannot ignore that power can be hidden behind the façade of trust and the rhetoric of collaboration, and used to promote vested interests through the manipulation of weaker partners." And yet, a different view surfaces that groups are unequal participants in the policy process. According to Wagle, (2000:214), "it is the outcomes of policy-making that matter to citizens and it is the citizen participation that ensures democratic policy-making."

Whatever else one may say about the importance of networks, there are other factors that must be addressed in order for networks to contribute effectively for policy implementation. Appropriate roles and responsibilities, and capacity to fulfill those roles should be determined. Each and everyone in the network must be conversant with the objectives of the relationship, and the degree of convergence. Mechanisms for combining effort and managing cooperation should be suggested at the beginning of the network relationship. Many communities are unable to activate cooperative processes that they would regard as desirable, because of lack of social capital. Perhaps it is proper to mention that it places those communities in a social trap created by community attitudes within the community. Effective participation is only possible if necessary information is available. The costs of the information should not be so high that it is accessible to a small group. The obligation to give information, therefore, demands the active attitude of authorities. They have to see to it that the required information reaches citizens on time, in the right place, and in an understandable form.

Robert Putnam has presented compelling evidence for the decline of social capital in the United States over the past generation, measured by a variety of indices of participation in church-related groups, labor unions and civic organizations. Putnam's recommendation that government

policies be vetted for their indirect effects on social capital is a good starting point. However, his argument that policy should focus on community development, with attention to religious organizations and choral societies that may seem to have little to do with politics or economics seem misplaced, unless we can show the specific ways in which these can be converted to enhance public-problem- solving capacities. Competing claims on public resources alone warrant a more targeted approach, not to mention the need to avoid supporting social capital that is illiberal and exclusivist, and that may further compound the problem of governance. Although governments sometimes find it difficult to cooperate with the public, only legal avenues can ensure citizens of having a say in environmental matters

Robert Putnam with Robert Leonardi and Raffaella Y. Nanetti in **Making Democracy Work: Civic Traditions in Modern Italy** (1993) studied the development of twenty new regional governments established in Italy in the 1970s. Some regional governments were very successful, while others were sad failures. They investigated party political allegiance, ideology, social stability and political harmony, population movement and found that none of these had any correlation with good government and community success. He found that high voter turnout, high newspaper readership, and membership of choral societies, literacy circles and service clubs were the hallmark of successful community. It seems that trust lubricates social life, and it seems that people are more trusting as they come to know each other well, and there is a strong tradition of successful community action.

The initial concern of Putnam and his colleagues was to explore the relationship of economic modernity and institutional performance. What they discovered in their investigation of civic traditions in modern Italy was a strong link between the performance of political institutions and the character of civic life - what they termed the civic community (Putnam *et al*, 1993:83). Civic engagement, political equality, solidarity, trust, tolerance and a strong associational life characterized such communities. Putnam and his colleagues were able to then take these themes and to connect them up with a range of data sources for different regions in Italy. They found that a clear line could be drawn between civic and uncivic regions and that public affairs are more successfully ordered in the former (Putnam *et al*, 1993:113). The conclusion drawn was

that democracies and economies work better when there exists an independent and long-standing tradition of civic engagement. A sense of belonging and the concrete experience of social networks and the relationship of trust and tolerance that can be involved in building communities can bring great benefits to people. The norms that constitute social capital can range from a norm of reciprocity between two friends, all the way up to complex and elaborately articulated groups.

Putnam (1993) believes that high levels of social capital are essential for good government. Good government will provide effective public policy, and that is the base on which business investment and the development of human capital will flourish. Inkeles (2000:255) is of the idea that “social capital may be searched for in its institutions, in its patterns of culture, in its modes of communication and association as expressed in qualities such as trust, cooperativeness or initiative.” According to social capital perspective, public participation can be enhanced in policy-making agenda through social connectedness and cooperation of government, industry, households, informal sector enterprises and non-governmental organizations.

Putnam's **Bowling Alone: America's Declining Social Capital** (1995) has captured the attention of many scholars with its quantitative evidence of the steady decline in social capital since the 1960s, as measured by participation in many different kinds of civic and political activities. These trends are especially striking in view of the steady increase in levels of education over the same period. However, Sirianni and Friedland focus on civic innovation in the environment and community organizing. They argue that there has been significant innovation and capacity-building, even amidst some indicators of social capital depletion, and argues for an approach focused on the specificity and complexity of public problem areas.

✓ Diamond (1999:225) comes to the understanding that civic community has profound implications for the quality and consolidation of democracy and social capital can improve the efficiency of society by facilitating coordinated actions. Civic organizations also helped create such environments that are favourable for democratic policy-making (Putnam, 1999). First, they have helped to create social capital where existing institutions prosper and new institutions develop. Second, they have helped to strengthen political culture that fosters democracy. Third,

they have helped to enhance people's individual and collective capacity, thereby ensuring an increased level of people's participation in public affairs. And last, they have helped to promote cultural plurality in which socially diversified groups of people act for their collective interests. It can still be argued, however, that the whole process of community participation of the poor and minorities remain unheeded. This will also be ineffective where people are disorganized or such community organizations are absent.

2.5 Why is Participation Desirable in Public Policy-Making

Citizen participation in policy-making is important in two different ways. Firstly, citizens possess information that will be valuable to policy experts in policy-making. Secondly, through participation, citizens will be able to get more information about how policies get made and what particular stakes they will have on different policy options, which in turn will be important in policy choice. Therefore to democratize the process of policy-making and to improve the quality of public policies, citizen participation will have to be sought in all stages of policy-making from problem definition to policy choice, and eventually policy implementation. The possibility that links among groups could help them enlarge their individual capacity to participate in collective action by bonding with each other is recognized. Citizen participation could also contribute to conflict resolution by bridging differences between and among them (Putnam, 2000).

James Coleman (1988), who was responsible for bringing the term social capital into wider use in recent years, argued that social capital is a public good and therefore would be under produced by private agents interacting in the markets. Since cooperation is necessary to virtually all individuals as a means of achieving their self-interests, it stands to reason that they will produce it as a private good. According to Coleman (1988) social norms transfer the right to control an action from the actor to others, typically because the action has externalities, that is, consequences (positive or negative) for others. Even though the norms do not have a legal force, it is normally complied with because it is inculcated and sustained by socialization. He argued that social capital differs from other forms of capital because the latter leads to bad results like hate groups or inbred bureaucracies. This, however, does not disqualify it as a form of capital. Since societies have laws to prevent the many social 'bads', it is assumed that most legal forms

of social capital are less 'goods' than the other forms of capital insofar as they help people to achieve their aims. (Fukuyama, 1999). Another way Fukuyama is approaching the question of social capital is through the concept of 'radius of trust'. He argues that all groups embodying social capital have a certain radius of trust, that is, the circle of people among whom cooperative norms are operative. If a group's social capital produces positive externalities, the radius of trust can be larger than the group itself. It is also possible for the radius of trust to be smaller than the membership of the group, as in large organizations that foster cooperative norms only among the group's leadership.

Francis Fukuyama (1995) has given a clear account of the role of trust in the creation of social capital, with particular attention to economic development. The core argument is that there are high trust and low trust societies and cultures. High trust societies tend to develop greater social capital, and consequently enjoy greater economic growth. Likewise, high trust cultures accumulate greater social capital. Fukuyama sees social capital as the glue that holds the otherwise dispersive structures of the market together. This is an important conservative statement on the relation of social capital to markets. Fukuyama (1995: 232) asserts that knowledge of the uses and limitations of social capital is a defining quality of leadership. Therefore democratic leaders have to appeal to discrete and sometimes inconsistent loyalties of isolated groups in order to increase their commitment to a common cause.

According to Beem (1999:20) "social capital builds and rebuilds community, and trust requires face to face encounters". By this definition, trust, networks, civil society and the like, which have been associated with social capital are all arising as a result of social capital, but not constituting social capital itself. The success of social capital building depends largely on the number of actors involved and the structures and purpose of the network. Such structures can be formal or informal and they are typically working towards a specific policy area. Their only bargaining power is the force of their numbers, the persuasiveness of their arguments and their popular appeal. It can be argued, therefore, that social capital is a public good created by the community and owned by the community, not by private individuals or government, nor even by the clubs and associations that make it such a powerful resource.

There are many forms of social capital that can contribute to public problem-solving and democratic participation. According to Montgomery (2000:227), “social capital may originate through participation in specific activities of civil society, but it serves also as a reservoir of potential support when society depends upon such voluntary actions in order to sustain public policy.” Increasingly, good governance is being linked to working in partnerships for sustainable development. In their study *The World Bank and Social Capital: Lessons from Ten Rural Development Projects in the Philippines and Mexico*, Fox and Gershman (2000) discuss that public participation and good governance are both critical for effectively tapping social capital’s development potential. (2000:399). It should be borne in mind, however, that while citizen participation is important to ensure democratization of the process of policy-making and to improve the quality of information provided to make appropriate policy decisions, how such participation can be acquired has become another pressing issue.

In his examination of *Citizen Participation and the Democratization of Policy Expertise: From Theoretical Inquiry to Practical Case*, Fischer (1993: 168) accepts that “collaboration between policy experts and citizens can yield better policy solutions. At the same time, citizens with increased access to information are empowered to bring valuable inputs, propose various alternatives and substantiate local knowledge.” There is, however, less clarity on how policy can be used to help build social capital. A policy that supports the development of environmental justice networks, for instance, may be crucial in building social capital needed to confront environmental inequality. But if these networks are acting on the terrain of a policy design that is highly flawed in the way that it discourages responsible citizen deliberation about costs and risks, then the result may be highly problematic in terms of effective policy among competing worthy claims. On these kinds of issues, social capital ought to be complemented by deliberative democracy in a broader framework of ‘public policy of democracy’(Sirianni and Friedland, 1995).

John M. Heffron’s study on *Beyond Community and Society: The Externalities of Social Capital Building* (2000) looks at whether social capital is something that states or governments or non-governmental organizations can ever actually bestow on people. This is given the stubborn

persistent organic religions, ethnic, family and kinship ties around the world (Heffron, 2000:479). He argues that most of the current literature on social capital, and the study of group behavior generally has tended to take everything but the community itself as the point of reference. Instead the amount or degree that social capital has on effecting individual attitudes and on the political life of the state is overlooked.. Recently, according to Putnam, (1999:66), American social scientists of a neo-Tocquevillean bent have unearthed a wide range of empirical evidence that norms and networks of civic engagement indeed powerfully influence the quality of public life and the performance of social institutions. Putnam is trying to show that social capital building is only possible with collective efforts. Unfortunately Heffron does not offer an alternative to social capital building with the individual as the point of reference.

Benjamin Cashore and Ilan Vertinsky in their study *Policy Networks and Firm Behaviors: Governance Systems and Firm Responses to External Demands for Sustainable Forest Management* look at the state/societal relations, which are referred to as policy networks and regulatory regimes, and then offer a theoretical framework within which to understand corporate policy choices. Their focus is on the role of policy networks, (state as an actor) and regulatory regimes (state as a legal order), which taken together comprise what is referred to as the sectoral level's system of governance. They argue that the system of governance is more than one of many factors affecting a firm's responses. This explains why, within the same sector, individual firms make different choice

2.7 Social Capital and Implications for Policy

Participation in the formulation and implementation of environmental governance leads to more effective and better-developed policies. First, participation allows policymakers to incorporate the priorities of the wider community as well as the views of other stakeholders and increases the understanding of the environment, which to the poor has many more dimensions. Second, participation can help build partnerships, based on trust and consensus between government and society at all levels. Trust allows dialogue, and consensus enables all stakeholders to work toward a common goal. Inclusion of and contribution by a range of stakeholders fosters ownership of the strategy and empowerment of stakeholders, particularly at community levels.

Social capital is a potential source of major improvements in society. Evidence of these improvements include improved voting levels, a multiplicity of active memberships and micro-level successes in administering development projects (Montgomery, 2000:229). The discovery that there are connections between these achievements and the trusting relationships engendered through participation in unrelated organizations suggests that such indicators may define the capability of nations to expand their democratic decision-making politics. Participation and consultation constitute the basis for creating the legitimacy of policies.

2.8 Shortcomings of Social Capital

While many theorists argue for the functional benefits of social capital, a few note possible negative consequences such as exclusion of the out-group. A direct negotiation among business, labour and the state would seem likely to produce social capital. Broadbent (2000:308) asserts that “relationships may lead to co-opting the leaders of weaker groups and in excluding unorganized people, ultimately weakening their political voice”. Putnam (1993:183) comes to the same understanding “that social capital may make democracy work alternatively, by not integrating all groups, but by empowering some citizen groups to criticize others”.

There is considerable evidence that communities with a good stock of social capital are more likely to benefit from better economic growth. There is also a significant downside of social capital worth noting. Groups and organizations with high social capital have the means to work to exclude and subordinate others. While the notion of social capital has some utility, there is a need to be aware of the dangers of ‘capitalization’ as Cohen and Prusak (2001:9) warn. They contend that not everything of value should be called ‘capital’. There is a deep danger of skewing the consideration of social phenomenon and goods towards the economic. The notion of capital brings with it a whole set of discourses and inevitably links it, in the current context, to capitalism.

Actions of cooperation are not limited to socially desirable outcomes. Cohen and Prusak (2001:12) argue that social capital in almost any group can produce hostility and rejection when

the trust that binds its members together excludes other groups. Fukuyama (1995:230) states categorically that durable relationships do not necessarily equal 'trust', though they serve to keep groups together.

One of the greatest weaknesses of the social capital concept is the absence of consensus on how to measure it. At least two broad approaches have been taken, first to conduct a census of groups and group memberships in a given society, and the second, to use the survey data on levels of trust and civic engagement. Putnam has tried to measure social capital by counting groups in civil society, using a number to track size of memberships in sports clubs, bowling leagues and the like as they vary overtime across different geographical regions.

2.9 Conclusion

The first Portfolio looked at social capital as an explanatory tool for effective participation and decision-making in a democratic order. Voluntary and community organizations and the public sector bodies share a fundamental aim to serve and represent the interests of their communities. What social capital supports, therefore, is for the stakeholders to set out the shared principles and the commitments to action that will underpin the relationship as people work together to achieve their shared objectives. The norms of reciprocity can be fostered through the approaches and policies that strive to maintain and to improve the quality of life for individuals and communities. Voluntary and community organizations are also responding to major challenges, whether they are small local groups or much larger national and international voluntary organizations. In particular, they contribute with the public sector to programmes directed at social, environmental, cultural and economic development. It is recognized that working in partnership enhances the ability of the public sector bodies and of voluntary and community sector organizations to fulfill their own purposes, but also imposes a responsibility to contribute towards achieving common aims and objectives, according to the capacity of each organization. Moreover, social capital is important in that it promotes equality of opportunity for all people to participate, regardless of race, age, gender, political orientation or religion.

Portfolio 2 is specifically looking at approaches to partnership between government, business and the civic sector. Frameworks in South Africa that recognize partnerships such as the Constitution and the National Environmental Management Act (107 of 1998) play an important and complementary role in the development and delivery of environmental policy.

P A R T- TWO

3.0 ENVIRONMENTAL MANAGEMENT AND POLICY IN SOUTH AFRICA

3.1 Introduction

The dominant understanding or practice of environmental management in South Africa was an authoritarian conservation perspective. Conservation primarily focused on the preservation of wilderness areas and particular species of plants and animals, and asserted that it operated 'outside of politics'. According to Ngobese and Cock (1995:262), "within this perspective, overpopulation was often identified as the main environmental problem. It was people who were perceived to be responsible for destroying trees and creating waste." Conservation was divorced from development. With South Africa's transition to political democracy in 1994, far-reaching changes were instituted in the domains of political decision-making and public policy-making (Booyesen and Erasmus, 1998). The production of new policies became one of the immediate yardsticks of transformation in South African politics and society. The need for new policy on local government arose in the context of the ongoing transition to democracy.

This Portfolio is mainly concerned about participation in environmental management, looking specifically at the South African context. This section draws much from the postulation of environmental and public interest representatives and grassroots community empowerment that they are a very significant one in environmental regulation. It is recognized that cooperation and participation in environmental management came about as a global as well as a national concern for sustainable development. It is for these regards that participation with people outside of government was forged in the process of formulating the national environmental framework. It was an interactive network-based approach with a diversity of networks and clusters that resulted in processes of policy-making.

It is now generally recognized that the environment and development are inseparable. The one is linked to the other and the integral nature of this relationship is generally beyond dispute. In the past development has often been at the expense of the environment, and in particular, the methods used to affect economic development have invariably led to environmental degradation.

According to Ngobese and Cock (1995:260), “environmental degradation has arisen from a false dichotomy which flows from the myth of separateness of man and nature being placed on the relationship between environment and development”. Achieving sustainable development means moving beyond a narrow, albeit important, concern with economic growth *per se*, to considerations relating to the quality of that growth. That is, ensuring that people’s basic needs are being met, that the resource base is conserved, that there is a sustainable population level, that environment and cross-sectoral concerns are integrated into decision-making processes, and that communities are empowered¹. It is expected for this reason, that the structures of government be in such a way that include citizens to participate in environmental management and decision-making. This means having good relations with civics, NGOs and other community structures. This system of governance would increase transparency, accountability and above all public participation in varied forms.

The experiences with both implementation of policies and the structures of implementation have a direct bearing on democratic governance and accountability. The whole idea is to move away from that structures that tend to maximize adherence to rules and regulations and use the top-down authoritarian approach. These structures have proved to be highly centralized, and removed from the realm of citizen participation and accountability. An important consequence of this strictly hierarchical mode of accountability is a dramatic decline in the actual degree to which administration is accountable to the people. The current terminology of governance, as opposed to government stresses the role of citizens, both individually and organized in various forms of association in the policy process.

3.2 Background to Agenda 21

Agenda 21 is a document developed at the 1992 United Nations Conference on Environment and Development. It is the outcome of a host of international policies and events that reflected the growing importance of sustainable development. In 1992 leaders of 179 countries from across the globe gathered in Rio de Janeiro for the United Nations Earth Summit to endorse Agenda 21. The Earth Summit was prompted by the growing realization that the world was fast approaching

¹ World Commission on Environment and Development

a crisis, because current development plans were leading to increased human suffering and environmental damage. The conference resulted in a global action plan being adopted by many countries including South Africa, for sustainable development. This perspective recognises that social, economic and environmental problems are all bound together and threaten the viability of the natural, built and social systems upon which these services depend (Sustainable Development Guide, 1999:iii)

Local Agenda 21 (LA 21) is a plan to implement agreements of Rio, and guide business and government policies into the 21st century. It is a long- term strategic process that will help local communities and local councils deal with economic development, employment, equity and justice concerns. The needs, resources and hopes of local communities are to be reflected through LA 21, and placed in a global context. The commitment of local authorities to work with communities is essential for the implementation of this strategic plan. Public access to information, and public participation were given significant emphasis in the final declaration adopted on June 14, 1992. Chapter 28 of Agenda 21 sets out the importance of local authorities in the global move towards sustainability “because so many of the problems and solutions being addressed by Agenda 21 have their roots in local activities”. Specifically Chapter 28 calls for each community to formulate its own agendas.

Each local authority should enter into a dialogue with its citizens, local organizations and private enterprises to adopt LA 21. Through consultation and consensus-building, local authorities would learn from citizens and from local, civic, community, business and industrial organs and acquire the information needed for formulating the best strategies (Agenda 21, Chapter 28, Section 1, 3).

The final version of Chapter 28 stipulated that “by 1996, most local authorities in each country should have undertaken a consultative process with their population and achieved a consensus on LA 21” (United Nations Conference on Environment and Development, 1992). The general objective is to integrate environmental issues into policy-making. This can thus, be achieved by strengthening institutional structures to allow the full integration of environmental and

development issues. Furthermore, the move towards sustainability requires development of mechanisms to facilitate the involvement of concerned individuals, groups and organizations in decision-making at all levels. Public participation in environmental management is desirable and it is recognized by the World Bank that recently the wave of social and environmental policy reforms now make positive contributions to social capital accumulation, which include an important emphasis on public participation and good governance. Such ties constitute resources that help to overcome obstacles to collective action both within and between groups. (Fox and Gershman, 2000:400).

The key issue for a successful LA 21 is that the local community will feel ownership of the LA 21 process. Thus LA 21 should fully involve active local participation in the decision-making processes and structures that lead to the development and implementation of LA 21, both in the short-term and long-term. A range of municipal issues that can be addressed through LA 21 include more integrated and holistic plans that take a long time frame. Local authorities, with their developmental and environmental functions, for example, not only have to provide services to communities in a sustainable manner, but they also have to promote social and economic development. The major groups identified by Agenda 21 as being critical in its implementation include women, youth, workers, local governments, scientific community, business and NGOs.

There are essentially three categories in which LA 21 themes can be operationalised. The first category is those themes that are internal to the local government. For example, the preparation of a local agenda plans by the local government requires a thorough understanding of the contents and processes. The basic principle of sustainable development laid out in the Agenda 21 can be activated by the many organizations and operations of a local government. These include local policy and programme development, planning and management procedures in local projects.

The second category is those themes that are local government's interaction. A local government's interaction with its citizens in implementing plans to realize the goals set forth in its LA 21 plan is key to the success of the plan. Changes in urban lifestyles have far reaching

consequences, positive and negative on the local environment. Thus education and training in environmental issues, information campaigns and awareness building, using both formal and informal channels, action plans involving the civil society such as reduce, recycle and reuse can be various ways in which the local government sensitizes its citizenry towards environmental protection.

A third category is external to the local government. These are some actions that local governments can only influence, but where the essential decision-making process is outside their control. Issues such as product and safety standards, labour practices play an important role in this category. Activities of civil society at large, including CBOs, NGOs and other institutions also fall in this category. All participants must embrace the collective vision of a 'sustainable community.' Indeed life-long education is the heart of the agenda - to share a vision that is worth the sacrifice. Learning that seems democratic and cooperative is key to winning the consent of the masses. Such empowerment of communities in managing their local environments is the cornerstone of the Local Agenda 21. For this reason, the Local Agenda 21 is a structure that could utilize social capital for public ends so as to make real environmental policy impact.

3.3 State of the Environment

The current state of the environment in South Africa is substantially unfavourable in some aspects and is the result of efforts over the long term to achieve extensive growth. The environmental irresponsibility and negligence by different sectors of society have contributed largely to the current state. Environmental problems seen today were embedded in the stratification systems that existed in the past. Therefore, the threats of environmental problems such as exposure to pollution and the attendant health risks are not equitably distributed. Rather, they tend to reflect power-dependency relations between various social groups and communities, based on race. Other social factors such as cultural attitudes and beliefs, poverty, population growth and of course, technological change have made a mark in disrupting the integrity of the environment.

A radical change appears to be inevitable in a society stigmatized by a background of negative economic, social and environmental circumstances inherited from the past. The challenge is to first move the existing taboos of environmental problems, and by declaring the need to improve conditions in the environmental sphere by specifying the task of stakeholders in this process and consequently in the institutionalization of environmental protection. In 1997 at the Earth Summit held in New York, President Thabo Mbeki affirmed the country's commitment to Agenda 21. He stated that South Africa was in the process of developing a national environment report, which will serve as a basis for assessing the current status of natural resources, and for identifying emerging trends and issues². This conviction was South Africa's commitment to sustainable development. Act (NEMA)(107 of 1998).

3.4 Cooperative governance

The constitutional basis of cooperative governance is laid down in Section 40 (1) of the Constitution of the Republic of South Africa (Act 108 of 1996). It states that in the Republic, government is constituted as national, provincial and local spheres of government, which are distinct, interdependent and interrelated. The spheres must cooperate with one another in mutual trust and good faith by fostering friendly relations and assisting and supporting one another³. The national government has devolved some of the environmental responsibilities to the other spheres and those responsibilities have not been matched with adequate resources. These responsibilities include implementation, monitoring and evaluation at provincial and local level. Bray (1999:11) strengthens that "the shortage of skills and infrastructure in environmental management in South Africa means that there will always be competition among spheres to get the best, and the danger exists that the national government almost always wins." The question of the three spheres governing as equals in intergovernmental relations remains to be realised given their powers, size and economic backgrounds.

The principle of cooperative governance is drawn from the constitutional prescription that participatory democracy has to be consolidated with cooperative environmental governance. What this means is that all institutions that are responsible for environmental functions such as

² The 5th and 6th Session of the United Nation's Commission on Sustainable Development, December 1997

the Department of Water Affairs and Forestry (DWAF) and Department of Environment and Tourism (DEAT), just to mention a few, are required to work with one another in the administration of the national environmental policy. This provision calls for support and consultation of one another. However, DEAT remains the ultimate authority and others have environmental 'impacts' hence the need for cooperative governance and coordination across spheres. In the past responsibility for administering environmental law was distributed amongst various government organs. Couzens (1999:15) states that administrative fragmentation was "based on the old constitutional dispensation, which held that one governmental department could not overrule another". Fragmentation in environmental management led to inaction or duplication of functions, this management style was not cost effective at all. The intention for cooperation and support of each other is to remedy the situation of fragmentation of environmental legislation.

✓ One of the greatest benefits of cooperative governance is that of sharing the expertise to improve governance and better delivery of services. Experiences and experiments from other developed organs, institutions and spheres of government could spill over to weaker ones and thus develop capacity. Nevertheless, if the provincial and local governments are not developed and their individual capacities increased, they will not be able to take their rightful place in cooperative governmental and intergovernmental relationships (Bray, 1999:5). Cooperative governance does not necessarily mean governing the country by a few elected officials in government. It also means to engage civil society in decision-making processes. This democratic principle of openness and participation is of utmost importance in that decisions taken by all stakeholders will be supported and the responsibility for decisions made will be shared. It is against this background that NEMA puts to the test the spirit of cooperative governance and its mechanisms such as deployment of resources, jurisdiction and protocol which is an extraordinary diplomacy in intergovernmental relations.

³ Constitution of the Republic of South Africa (Act 108 of 1996) Section 41 (1) (h) (i) and (ii)

Diamond (1999:20) provides “that democracy effectively address society’s most pressing problems and perhaps more important, provides liberty, accountability and responsiveness that citizens uniquely expect from democracy and the order that they expect from any government.” People learn by their direct involvement in local affairs what is possible, practical and expedient. Participation of all stakeholders is even more desirable in South Africa where there is “inadequate enforcement of environmental law, and a lack of effective administration and management of environmental quality” (Lazarus et al, 1997:9). It is in this regard that social capital seeks to resurrect notions of civil society and demonstrate the dysfunctional implications of a public policy agenda monopolized by economic ideology at the expense of social considerations.

It is further reiterated by the World Bank (2000:59) that “where regulations are absent or ineffective, NGOs and community groups - including religious institutions, social organizations, citizens’ movements and politicians - pursue informal regulations by pressuring polluters to conform to social norms.” Therefore, it is essential that public responsibility be developed and encouraged so that it may influence the decision-making process. Participation involves a continuum of approaches ranging from information dissemination, collaboration, coordination, consultation and political representation. The existing political and social structures in South Africa will determine the specific approaches used at every level and each stage. The major areas of focus include participation in the diagnosis of environmental degradation, consultation and information flow within government, civic engagement at the local level and information and dissemination and feedback to stakeholders. There are however, possible pitfalls and constraints that need to be addressed. These include issues of trust, disappointment of expectations, conflicting interests, diversity of perceptions and difficulties related to information sharing and financial constraints.

3.5 The National Environmental Policy

The process of a negotiated environmental policy in South Africa was premised squarely on internationally recognized environmental principles as well as the constitutional transformation. This Consultative National Environmental Policy Process (CONNEP), as it was termed,

embraced virtually the entire country. Approaches used in the process were public hearings and deliberations, together with the experts. These were impressive means of involving citizens in policy-making (Lawrence, 1999:61). Jan Glazewski, Associate Professor of the University of Cape Town's Environmental Law Unit asserts that "before the constitutional reform, environmentalism had been seen as white-based and elitist, and linked to the imposition of apartheid policies and plans"⁴. The South African national policy is heralded as the landmark statute in environmental affairs arrived at following the democratic principles of consultation, participation and transparency.

The National Environmental Management Act (NEMA) was promulgated on 27 November 1998. The purpose of NEMA is to give effect to the Section 24 environmental right of the Constitution, creating an enabling framework for cooperative governance in the environmental sector, and finally to give effect to the environmental principles in the White Paper on Environmental Management. There are three pillars that hold the legislative framework of environmental management (www.environment.gov.za/nema/index.html). South Africa's environmental policy links firmly to the United Nations Conference on Environment and Development plans for sustainable development. One of the inherent and crucial activators of this Act is cooperative governance and public participation in environmental management (Bray, 1999:10). The government is increasingly experimenting with approaches that give citizens a greater say in the environmental debate and decision-making.

There is a strong similarity between LA 21 and the requirements of Chapter three of the Constitution's cooperative governance, participatory and developmental governance and the promotion of a safe, healthy environment. The Constitution of the Republic of South Africa (Act 108 of 1996) provides that society has a right to an environment that is not harmful to their health and well being, and a right to have the environment protected for the benefit of present and future generation⁵. The emphasis on public participation, in environmental management is also provided for in NEMA. Alliances among all stakeholders are established for collective

⁴ Interview with Sunday Independent, 10 October, 1999

⁵ Constitution Sections 24 (a) and (b)

responsibility, decision-making and planning. The concept of accountability also runs through LA 21 and NEMA that all stakeholders are responsible for their actions. It is against this background that NEMA puts to the test the spirit of cooperative governance and its mechanisms such as deployment of resources, jurisdiction and protocol which is an extraordinary diplomacy in intergovernmental relations. The weight of participation in environmental management as embraced by Rio Principle 10, the Constitution and NEMA. This principle raises at least three aspects of participation in decision-making: access to information, participation in decision-making and access to justice. Kidd (1999:22) maintains that “more transparency and participation by the public may lead to an improvement in the legitimacy of environmental policies, objectives and actions.”

3.5.1 Public Participation

LA 21 advocates for participation and transparency. All major groups of society are directly involved in sustainable development planning. NEMA places a “duty of care” on every person to prevent environmental damage by virtue of environmental issues impacting on the quality of life of each and every one, as well as all future generations. Hence environmental responsibility starts with each and every one as individuals. First a state of mind, an attitude and commitment to take responsibility, followed by appropriate behaviour must be seen taking place. It is the combined impact of everyone’s activities which will make a difference, just as democracy only works if enough people take time and effort to cast their individual votes, which added up, lead to what the majority desires.

A case in point is Section 2 (4) (f) of NEMA provides for public participation in environmental decision-making. It grants that participation of all interested and affected parties in environmental governance must be promoted, and all people must have an opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation, and participation by vulnerable and disadvantaged persons must be ensured. The national environmental policy provides for extensive public participation in environmental decision-making and the implementation of sustainable development. The commitment to sustainable development in the Act certainly appears to be a serious one.

Participation is important for a number of reasons, and this is especially so in South Africa where “environmental policies and actions have often not been given attention it deserves by some members of the community. More transparency and participation by the public may lead to an improvement in the legitimacy of environmental policies, objectives and actions (Kidd 1999:22). According to Kidd (1999:27) “in South Africa, however, this need is particularly acute since all the signs point towards significant constraints on the state’s ability to implement environmental policies effectively”. It is for this reason that the whole idea of social capital building is to take care of the environment even in the face of weak laws. It is reckoned that monitoring will be done by civil society, and hopefully voluntary compliance will become the order of the day if participation is encouraged. Public participation in decision-making is something that is still at infancy stage in South Africa and has to be encouraged extensively.

The World Bank contends that “links among local communities, market agents and regulators have sparked several of the world’s most innovative experiments in environmental policy where regulation has failed supports this debate (World Bank, 2000:58). It can still be argued, however, that the whole process of community participation of the poor and minorities remain unheeded. This will also be ineffective where people are disorganized or such community organizations are absent.

3.5.2 Access to Information

The cornerstone of environmental governance is the right to access to information. It is vital that people be informed as to the state of the environment and of issues that may affect the environment in order that their participation is meaningful (Kidd, 1999:26). This means that information compiled should take into account the literacy levels of all interested and affected parties. By way of illustration, English language may be a barrier to effective participation for those who are not English-speaking. Therefore different people should be accommodated in their respective languages. However, in South Africa with all 11 official languages, this becomes difficult to realise. Armed with good information, poor citizens can work with environmental agencies and elect political leaders willing to pressure factories to curb emissions (Kidd, 1999).

LA 21 strongly emphasis that all information concerning the environment must be easily available to the general public.

3.5.3 Access to Justice

It is indicated that members of the public should have access to justice so that they can further their interests through litigation and administrative remedies if there is a violation of environmental law. members of the public should have access to justice so that they can further their interests through litigation and administrative remedies if there is a violation of environmental law. In South Africa, still, this need is particularly acute since all the signs point towards significant constraints on the state's ability, particularly resources (Kidd, 1999:27). Even in the face of weak environmental law, argues the World Bank (2000:58), "links among local communities, market agents and regulators have sparked several of the world's most innovative experiments in environmental policy". Communities then can be viewed as informal regulators if, for example, business does not comply. Jan Glazewski states that environmental justice in South Africa is not only about the equitable distribution of the burden of polluting activities. There is an additional and distinct emphasis on access to the basic resources such as land and water, as well as community participation in decision-making.⁶ The nature of information, and public participation in environmental management were given significant emphasis in the final declaration. Section 31 (2) of NEMA is not very strong when it comes to privately held information, and this falls short of the Constitution's intentions. Another principle of LA 21 specifies that environmentally sound, socially just and equitable economic development must go hand in hand.

⁶ Ibid.

3.6 Developmental Local Governmental

Apartheid has fundamentally damaged the spatial, social and economic environments in which people live, work, raise families and seek to fulfill their aspirations. Local government has a critical role to play in rebuilding local communities and environments, as the basis for a democratic, integrated, prosperous and truly non-racial society.⁷ Bray (1999:4) holds that “the constitution determines that municipalities have the right to govern the local affairs of their communities, but subject to national and provincial legislation”. Increased resources and training can lead to empowerment and accountability of the three spheres of governance in environmental management.

Local governments are powerful actors in their local economies. They build and maintain infrastructure, and determine the framework for economic development. They therefore have an impact on the economy, community and the ecological system through the services they provide. The range of municipal issues that can be addressed through LA 21 include reduced garbage outputs, improved relations between council, communities and better delivery of services. Sustainable development can only be achieved if the impacts of the services are understood and corrected. Putnam (2000:19) states “that connections among individuals, social networks and trustworthiness arise out of social capital”. However, enabling individuals and communities to act and to care for their own environment requires empowerment through provision of environmental information and access to appropriate channels for voicing their concerns and bringing about change.

3.7 Conclusion

There is commitment on the part of government to promote public participation in environmental governance. This commitment is manifested in the national environmental policy which advocates for the participation of all interested and affected parties in environmental governance, and that all people must have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation. It is recognized that the interaction

⁷ Executive Summary of the White Paper on Local Government

between government and citizens can be fruitful and that there is a strong social support for joint responsibility in tackling and solving problems with respect to the environment.

It is against this background, therefore, that the next third part will look at the Msunduzi Municipal Council, and how it proposes to implement its Local Agenda 21 principles. But first methodology section is presented to give an overview of how the case study was conducted.

4.0 CASE STUDY: MSUNDUZI MUNICIPAL COUNCIL

4.1 Methodology

This methodological section sets out how the research portfolio was carried out and presents subjects of the study and data collection procedures.

4.2 Population, sample and sampling procedure

The case study was conducted at the Msunduzi Municipal Council in Pietermaritzburg. The target respondents for this study were all members of the Local Agenda 21 Working Committee. The subjects were targeted to solicit information on various aspects of LA 21 and environmental management in the municipality. The main reasons for their selection were that the Municipal Council is close proximity to the University of Natal. This was very convenient to the researcher given time and financial constraints. Again, this was a preliminary case study.

Non-probability sampling, which involves identifying and questioning respondents because of an interest in their individual positions, roles and background experiences, was used. In this situation, the probability of being chosen as a respondent had no significance other than being manageable in the time available. The population represented consisted of the varied members of different organizations who fall within the scope of the topic. There is no wish to generalize their answers beyond the cases observed without further research. They are presented with the aim of providing some insights about increased participation within public agencies, which have shown to be vital in this overall process of ensuring a democratic and accountable government. The sample size was determined by the feeling that all relevant people were approached, a feeling reinforced by the responses given.

4.2.0 Profile of Civic Organizations Interviewed

4.2.1 GREEN

GREEN network was established in 1993. It is a formally constituted association operating as a community-based network. It currently comprises more than forty-five community-based organizations. Members of the network are located in the urban and

peri-urban areas of the Greater Pietermaritzburg. Members include women's groups, youth organizations and environmental and agricultural clubs. Although other groups in the network are politically aligned, the network itself is apolitical.

The objective of the network is to provide a platform for and a medium through which previously disadvantaged communities and organizations can articulate their concerns about environment and developmental issues that affect them. GREEN is directed by a Board of Management comprising ten community leaders and has a staff complement of five. Its activities include waste recycling, farming and clean up campaigns in cooperation with the Municipal Council, KPCA, and Sobantu Environmental Desk. The network gets financial support from different organizations, internationally as well as nationally. Funders include the Danish Consortium for Environment and Development (DANCED), Democracy for Development Programme (DDP), Independent Development Trust (IDT), the Msunduzi Municipal Council and International Development for Research Council (IDRC).

4.2.2 Sobantu Environmental Desk

A joint working committee of the ANC activists and the community of Sobantu formed this community-based organization in 1995. Before the local government elections in 1996, Sobantu Environmental Desk Network 96 was formed. The objective was first to develop the community so that the organization can serve the interests and needs of the people of Sobantu in a sustainable manner.

Sobantu is located near the Pietermaritzburg Landfill Site, therefore the community is exposed to health hazards. The Desk organized cleaning campaigns, which was a substructure of development before the Transitional Local Councils. The concern was waste minimization, whereby people would be encouraged to recycle and reuse. The Institute of Natural Resources (INR) of the University of Natal assisted the Environmental Desk with securing an office and a computer. There was already an environmental club in Sobantu, which joined the Environmental Desk Network. Eventually there is only one body dealing with environmental management in the area.

The TLC funded the cleaning campaigns, and participants were supposed to provide their own equipment in subsequent campaigns. Other organizations that provide support to the Environmental Desk are KPC, City Health Department and Umgeni Water.

4.3 Data Collection Method

Following the approval of the research proposal, telephone calls and visits requesting permission to conduct interviews were made to members of the LA 21 Working Committee. Necessary arrangements that enabled the researcher to have access to the respondents were made after respondents' understanding of the purpose of the study. All respondents were interviewed face to face and responses recorded. The average duration of the interviews ranged between one hour and one hour and thirty minutes per respondent so as to extract as much information as possible.

Structured and unstructured interviews were used to collect data, and respondents concerned were interviewed individually. (Refer to questionnaire in Appendix 6.2). In structured interviews respondents were asked questions in exactly the same form and exactly the same order. This instrument had both open and closed-ended questions. In the open-ended questions respondents were asked questions to which they could give any answer. Respondents gave answers in detail and qualified and clarified their answers where probed. All responses have been paraphrased for easier reading. In-depth interviews were also used to allow for more insight that a structured interview may have overlooked. In closed-ended questions on the other hand, respondents were asked questions and were provided with answers from which to choose the most appropriate.

4.4 Limitations of the Study

An independent study into any aspect of the work of government is extremely difficult to carry out. This is so because the officers and politicians normally shroud their activities in secrecy, especially if they view one in suspicion or are fearful of unfair scrutinization. Better yet when they are not quite clear of what they are supposed to be doing. As a result of the undue suspicion on the part of the public officials and politicians, there exists a large and undue defensiveness.

Several attempts have been made to get hold of the organizational profiles of KPCA and PCCI that they promised to forward by email. To date, after several requests, they are still unavailable and this explains why the report is without them. EJNF was contacted on several occasions to grant an interview and a visit was made to their Durban office and the person in charge did not meet appointment days, nor return calls.

The existence of conflicting views about the nature and direction of public participation in environmental decision-making while interesting to the researcher, was problematic in that very few officials and politicians were willing to talk openly about their views or were unable to substantiate their opinions. Councillors and officials seemed to have inadequate knowledge base available to permit them to be candid about environmental issues. This knowledge deficit was compounded by the more general uncertainty of new regulatory techniques and strategies for environmental management. Environmental issues began with weak council support and remained an issue of political contention in ways that disrupted learning and capacity building. Consequently, some of the study objectives were not carried out satisfactorily. However, these shortcomings say something in themselves.

5.0 PRESENTATION OF RESULTS

5.1 Introduction

Part three presents the results on the Msunduzi Municipal Council's approaches to environmental management and decision-making. The aim of the study was to examine participatory approaches employed by the Local Agenda 21 Working Committee. The main focus was the importance of participation of civil society in environmental governance. Participatory approaches employed by the council have been identified, with the view to evaluating the procedures, their impact and the importance of networks in. It is recognised that interaction between government and citizens can be fruitful and that there is strong social support for joint responsibility in tackling and solving problems with respect to the environment. It is therefore imperative that citizens be informed as to the state of the environment and of issues that may affect the environment in order that their participation is meaningful. This is a common characteristic of democracy, and one that is espoused by LA 21 principles, the Constitution as well as the national environmental policy. Brinkerhoff (1999:127) puts forward that "making multi-actor arrangements operative is key to the success of any policy network". Hence social capital is one of the forms of capital necessary for sustainable development to occur. Understanding social capital helps develop policies to reduce environmental damage, and this can be achieved through people using informal social networks to better themselves.

The benefits of social capital are greatest when it helps individuals and groups to transcend class, gender and political divides. A more expansive interpretation of outcomes includes the extent to which a participatory process has achieved desired goals. These are goals which public participation ought to be expected to achieve, but which transcend the immediate interests of parties involved in a decision. The social capital framework evaluates the outcomes of participatory decision-making processes. Some of the outcomes have emerged from field experience and interpreting these findings from the social capital perspective will hopefully ensure that lessons are circulated more rapidly and that they rest on a wider foundation of support. Where ways can be found to merge the interests of the public, private and civic sectors, environmental governance is bound to succeed.

5.2 Transformation of Local Authorities

Prior to local government transformation, KwaZulu-Natal had 7 Regional Councils. A regional council consisted of a Management Committee, which were to co-ordinate the activities of the various municipalities in the whole of the regional council. The regional councils in KwaZulu-Natal were unlike other regional councils elsewhere in South Africa. They were made up of transitional local councils and Remaining Areas. This was the result of the absence of municipal boundaries in rural areas.

The Msunduzi Municipal Council, like any other council has gone through a three phased transition as a result of negotiations between the then government, existing local authorities and civic organisations for a new unified, non-racial and democratically elected authorities. Accordingly, the first phase was in 1993 – 1996, and was called the pre-interim phase. It can be described as the period from the adoption of the Local Government Transition Act to the first local government democratic elections in terms of the Interim Constitution. During this period the local authority was known as Pietermaritzburg, and after the elections the name was changed to Pietermaritzburg-Msunduzi Transitional Council.

The second phase, the interim took effect from 1996 – 2000 after the local government elections and ends with the implementation of the final model of local government seen today. This phase was marked with preparations for the final phase and the drafting of the White Paper for Local Government. Transitional local councils remained in place until the third and final phase took effect. The council then became known as Pietermaritzburg Msunduzi Local Council. It included areas such as Sobantu and Edendale after final demarcation of municipal boundaries.

The local government elections on the 5th December 2000 ushered in the final phase of the local government reform, and signalled the end of the national transition process. Some of the key policy documents that informed this phase are the White Paper on Local Government, Local Government Demarcation Act (1998) and Municipal Structures Act (1998). At the final demarcation, the council became known as the Msunduzi Municipality (KZ225) and included Vulindlela, Ashburton and traditional authority areas. The resultant effect of integration of rural

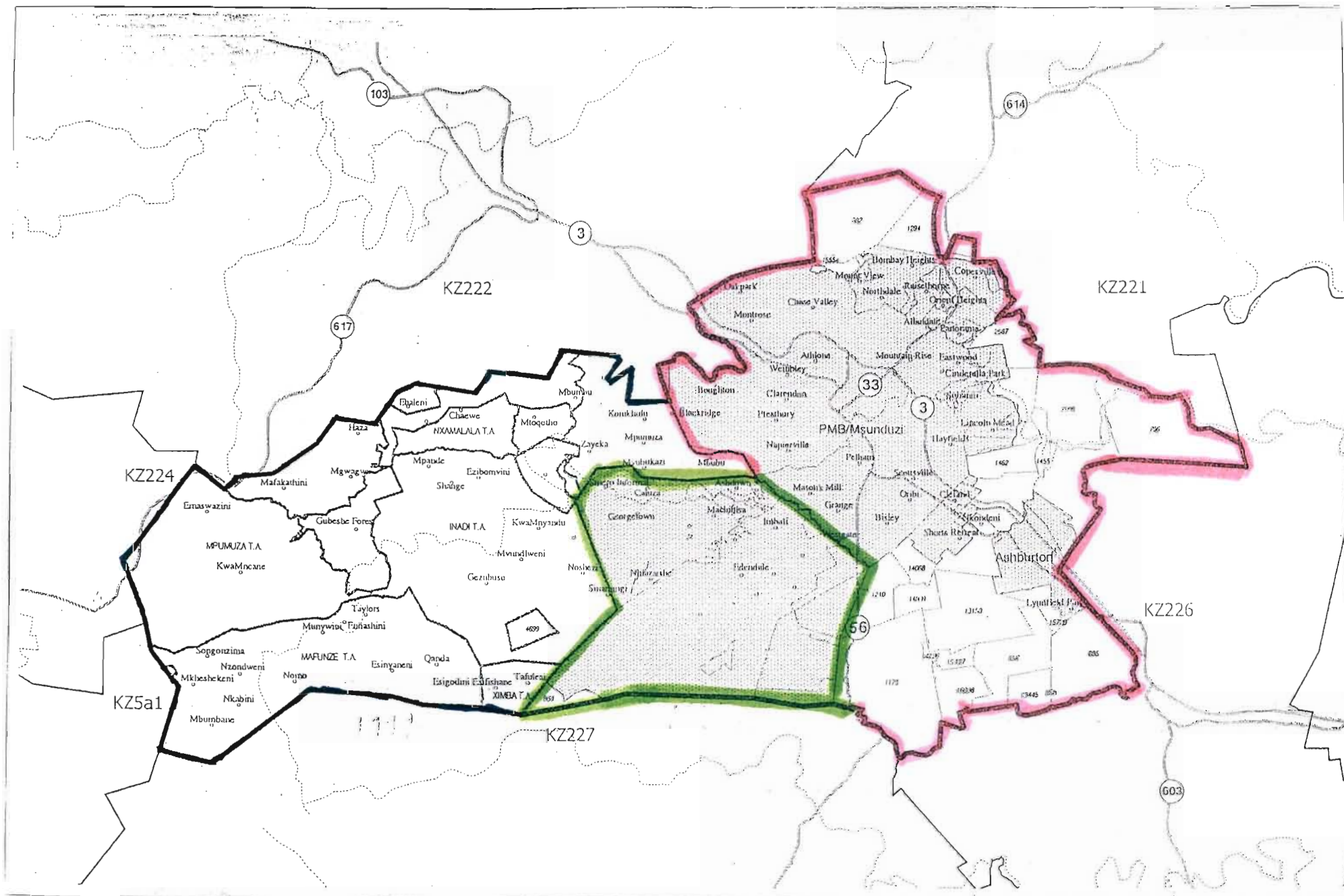
areas in the district of Pietermaritzburg is that it has grown in size and population. This is a challenge facing the Msunduzi council as to how to extend services to areas that were formerly deprived.

5.3 Msunduzi Municipal Council

Figure 1 is a map of the enlarged Local Municipality KZ225, in terms of Section 21 (b) of the Local Government Municipal Demarcation Act (No 27 of 1998). It shows how the district has grown since the three-phased transition period. In an interview with the Deputy Mayor, she mentioned that national government has reduced subsidies to local government, and this complicates matters since local government has no direct access to a great deal of taxes. Msunduzi Municipality's jurisdiction has expanded, but it is marked with limited infrastructure and capacity in terms of skills and resources. Some of the rural areas that have been incorporated have few economic opportunities, inadequate housing and social services. Capacity development is therefore a crucial element of cooperative governance. The merging of towns to create unified local authority structure posed an important challenge to the municipality to meet its constitutional mandate of economic growth and development. For instance local communities differ in size, distribution and culture. This means the needs and expectations also differ between the various areas.

The pink area shows Pietermaritzburg Local Council prior to the first local government democratic elections. The area marked in green depicts the areas that were included in the Pietermaritzburg-Msunduzi Transitional Local Council after the first democratic elections. The area marked in black is the final demarcation of the enlarged Msunduzi Municipal area, known as KZ225.

Re-determination of the Local Government :
in terms of Section 21(b) of the Local Government :
Municipal Demarcation Act, No 27 of 1998.



The revenue base is concentrated in Pietermaritzburg because of industrial activities and service centres in the area. The challenge is to confront the neglect of the past as well as the attendant ills of poverty and inequality. More than anything else, there is an urgent and persistent call for local economic growth and the pursuit for development in the newly incorporated areas. People have expectations and desires and often they perceive that those expectations can be met by migration to a centre of power and privilege. Consequently the city increasingly shows signs of urban growth such as large informal settlements and trading. Howlett and Ramesh (1997:20) state that “democratic governments operate in a form of perpetual electoral campaign in which the types of decisions they take will vary according to the timing of the electoral cycle.” The political set-up therefore makes a big difference in policy implementation. For example, the ward councillor’s re-election into office depends largely on delivery. In this regard, the issue of environment is not receiving much attention, as it should. There are other pressing social issues such as housing, employment and water that rural people are eager to see happening. Because of lack of understanding of what the environment entails, they are not eager to participate. One of the findings of the study is that participation is not easy to put into practice. According to Hulme and Turner (1997:114), “participation has a large cost for the poor and they will invest in their participation when they believe it will secure them valuable benefits.

The majority of councillors, the findings indicate, have a superficial knowledge of what LA 21 entails. However, there has been a commendable step taken by the council to equip politicians and officials with adequate knowledge of environmental legislation and what LA 21 entails. Development Bank of Southern Africa has given the council a fund for training and a consortium of consultants have already started with the work.

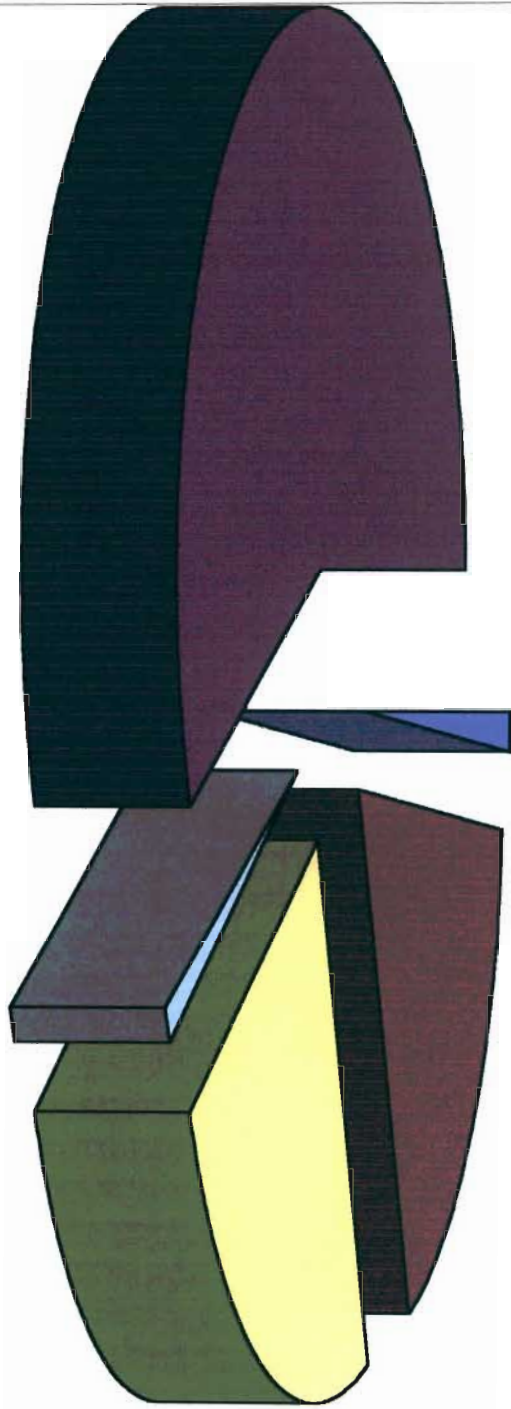
5.3.1 Composition of Council

The Municipal Council consists of members elected on either ward or proportional representation basis. These electoral mechanisms conceal a wide diversity of constituencies, political parties, interest groups and act as political support base of each councillor. In the system of proportional representation voters express their support for a particular party by voting for a party list of candidates. In other words the vote is not given to a person but to a party.

Boulle (1984:51) states that “the function of proportionality is to ensure that all groups influence decisions and actions in proportion to their numerical strengths”. The ward system on the other hand allows for parties and interests reflected within the municipal council to which the appointment is made. Table 1 below shows composition of councillors by party figures in the Msunduzi Municipal Council. There are now 73 three Councillors in the newly expanded municipality. Thirty-seven are ward Councillors and the remaining 36 are proportional representation Councillors.

Please find attached the percentage of the City’s proportional representation as well as councillors of the city wards as figures 2 and 3 respectively.

Figure 2:
The CITY'S PROPORTIONAL
REPRESENTATION



■ ACDP ■ DA □ IFP □ MF ■ ANC

Fig. 3 COUNCILLORS OF THE CITY WARDS

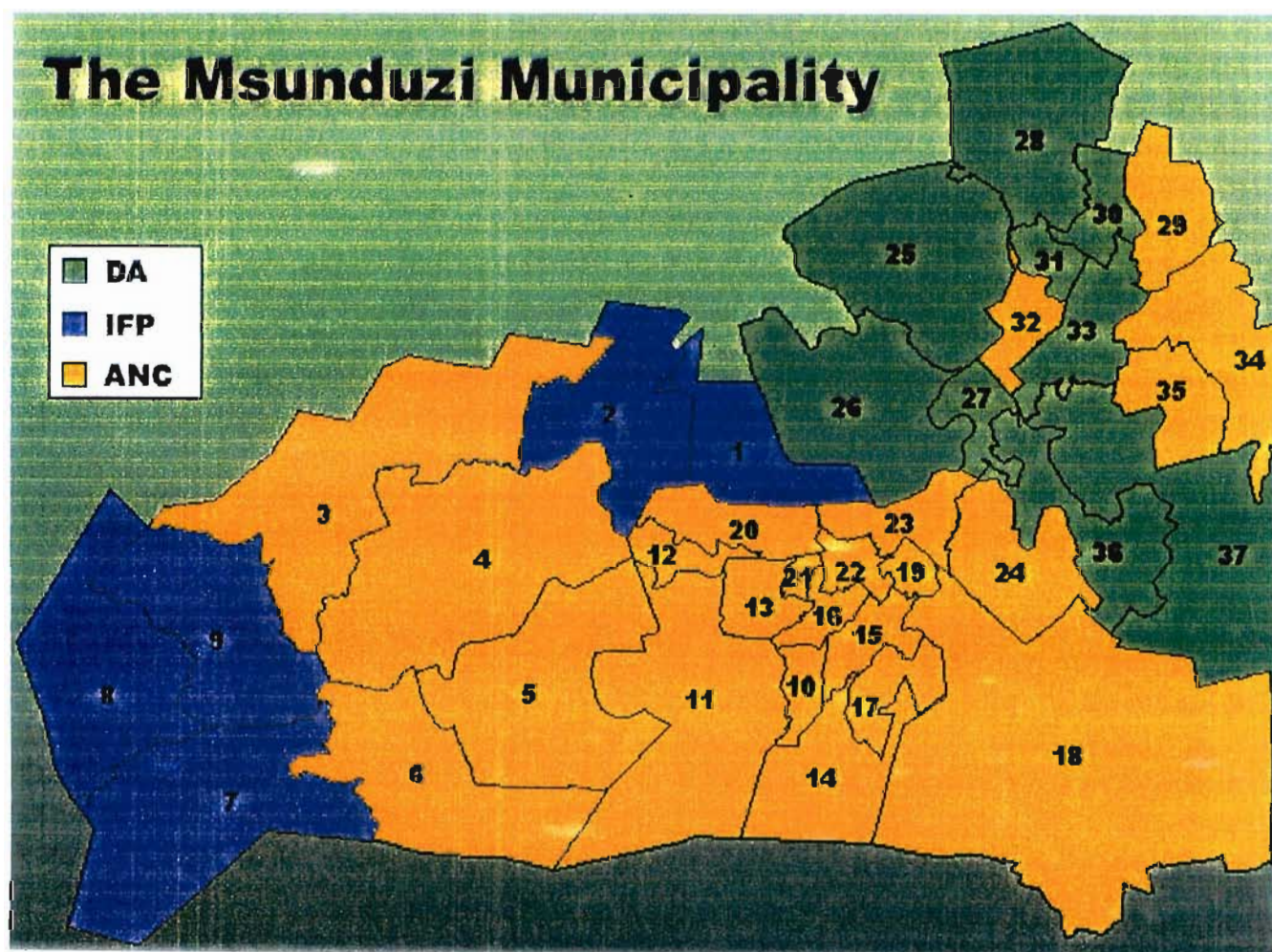


Table 1: Composition of Council by Party

| NAME OF PARTY | FIGURE |
|---|---------------|
| African National Congress (ANC) | 41 |
| Democratic Alliance (DP) | 17 |
| Inkatha Freedom Party (IFP) | 13 |
| African Christian Democratic Party (ACDP) | 1 |
| Minority Front (MF) | 1 |
| TOTAL | 73 |

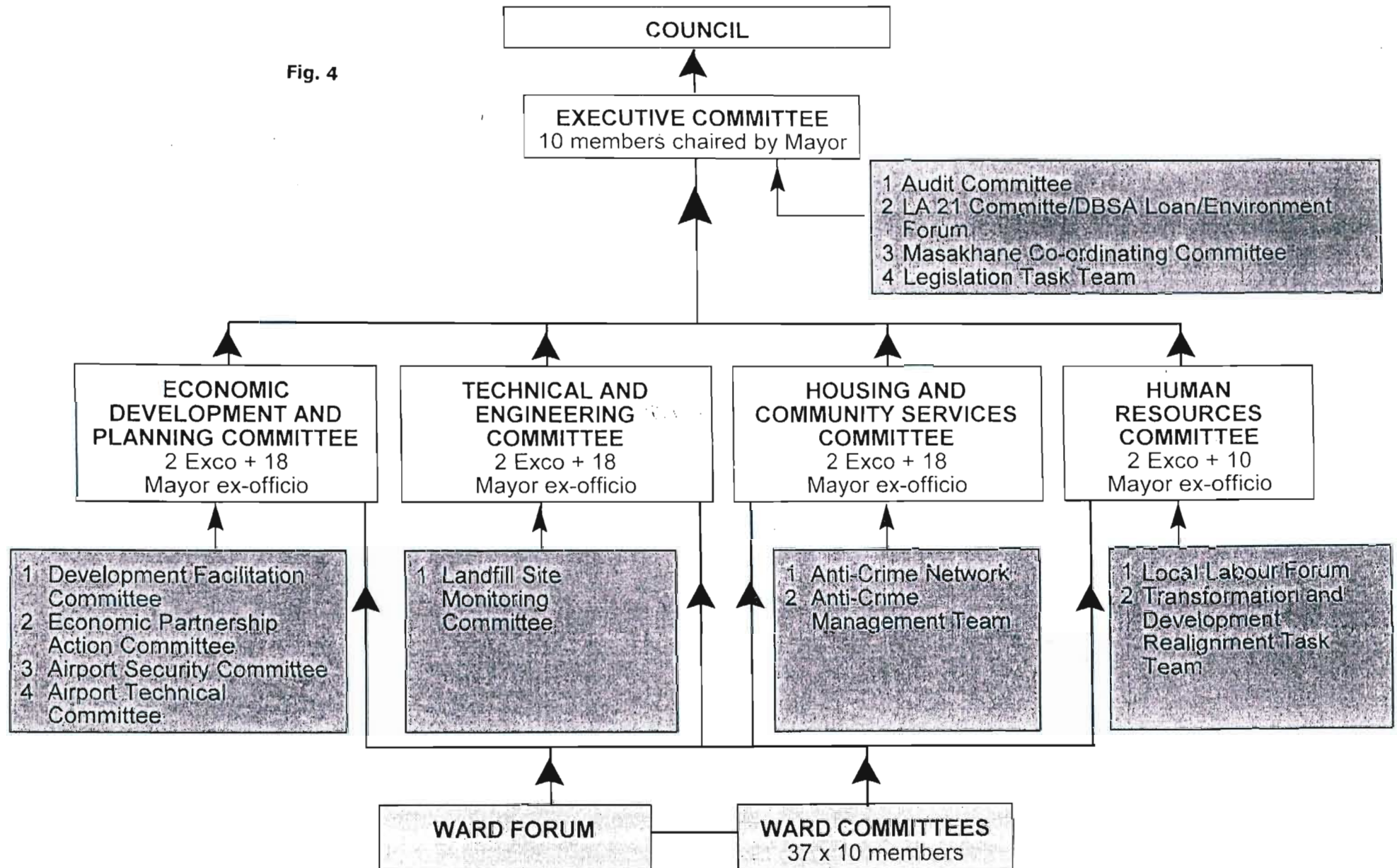
Councillors from disadvantaged communities are caught in a dilemma, especially given their campaign promises. There is a need to show support for local interests and needs. One of the councillors from Ward 4 admitted that his constituents are eager to get jobs, that is seeing the campaign promises being put into good use. Certainly delivery of services is a great benefit to the community as well as a ticket for re-election. On the other hand, the council has its own need for solidarity and co-operation. One comes to the understanding that if councillors and civil society were conversant of LA 21 pronouncements, it would reconcile these imperatives. This is because LA 21 advocates for integration of economic, social and environmental needs for sustainable development. It is given that some kind of social capital contribute to economic and institutional development (Putnam, 1993). Social capital therefore encompasses those social relationships that facilitate collective action in the public interest.

5.3.2 Committee Structure

Figure 4 presents the committee structure for local council KZ225. The Msunduzi Municipal Council has adopted LA 21 as a council programme. However, LA 21 has not penetrated Council structures adequately yet. Adopting LA 21 has definitely changed the structure of portfolios. For instance, the LA 21 Working Committee consists of representatives of other committees, and it is now part of the Speaker's office.

COMMITTEE STRUCTURE FOR LOCAL COUNCIL KZ225

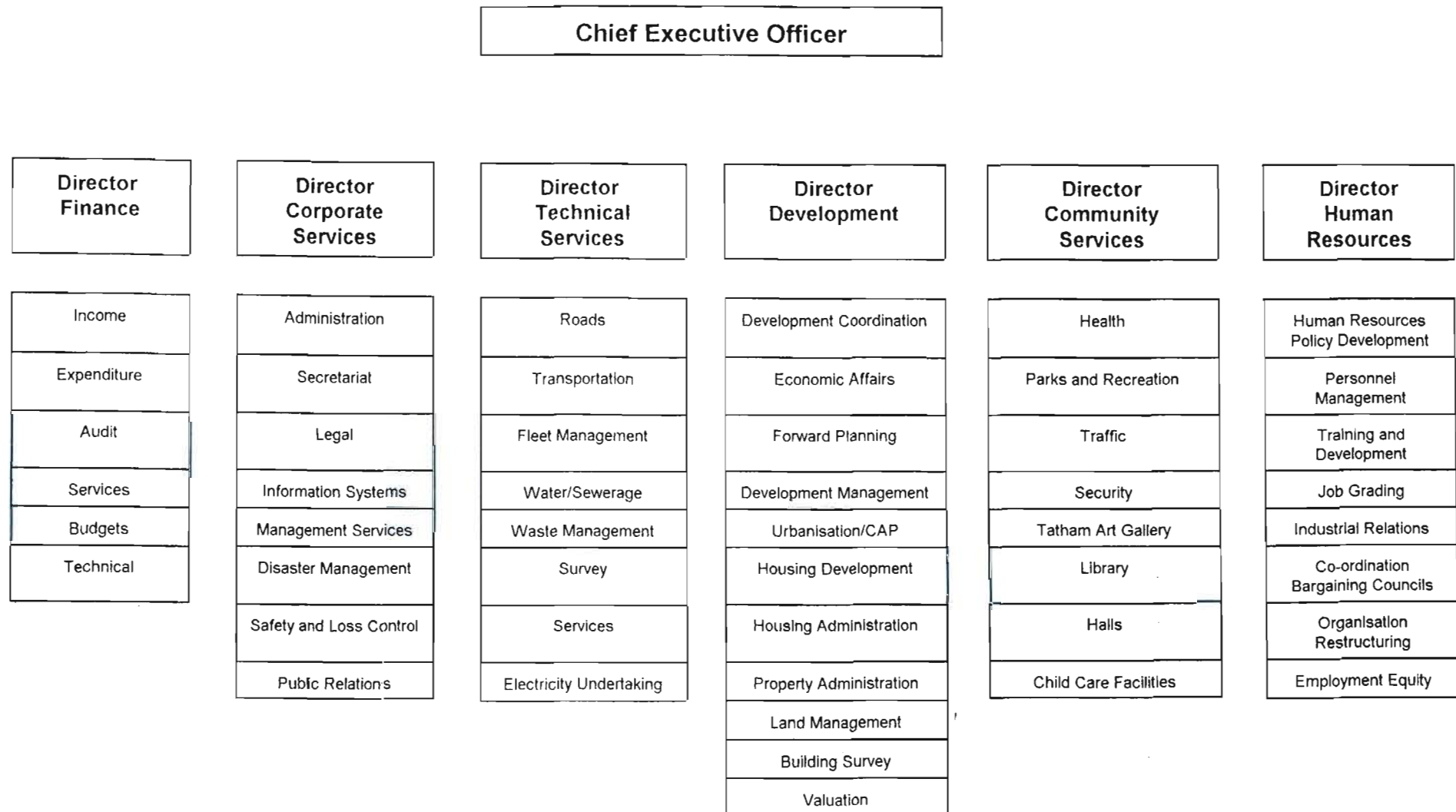
Fig. 4



According to Figure 4, LA 21 committee reports directly to the Executive Committee, the highest decision-making body of the council, chaired by the mayor. It should be noted, however that this is an old structure to change in due course. It is included to give an insight of how the council is dealing with LA 21 issues. It can be gleaned from the structure that ward committees are at the very bottom of the structure. Communication and coordination of LA 21 issues, the study reveals, is in fact ineffective. For example, councillors are supposed to be representing their respective communities and act as coordinators. It is therefore safe to say that the pattern of information flow does not permit councillors' involvement in environmental issues. Yet there is inadequate knowledge base in all the communities.

The Council is in the process of restructuring the organization, and there is nowhere in the proposed directorates that the environment is featured. Figure 5 depicts the proposed organizational structure with six directorates reporting directly to the Chief Executive Officer, formerly known as the Municipal Manager. It is the feeling of the LA 21 committee that the environment is taken into account in the restructuring process. The LA 21 requested that the Executive Committee acknowledge this requirement in its interim organization structure. Although it is recognized that the organizational structure can only be completely finalised once the functions in terms of the IDP have been arrived at, some suggestions were put forward to the Executive Committee as to how the environment may be integrated into the new structure. An effective LA 21 programme has consequences in the way in which a municipality functions. Council management structures at the Msunduzi are a fundamental barrier to enable sustainable development. This is often because they tend to promote implementation of line functions in a narrow way. The proposed structure indicates that economic growth and development are still viewed as two separate entities given that the environment does not feature in any of the proposed directorates.

Fig. 5 The Proposed Organization Structure



One of the suggestions was that a separate environmental unit or desk be established. This unit will serve to provide necessary coordination between council and stakeholders. However, this was viewed as an expensive option. An option that a member of each directorate be made responsible for environmental matters was resorted to, particularly in assessing environmental impact in development and ensuring that appropriate comments are forwarded to committees. This may prove a less expensive option, it being noted that the Development Bank of Southern Africa (DBSA) has already conducted a series of environmental capacity-building workshops for officials in the municipality. However, what is overlooked in this option is that officials have other assigned responsibilities in addition to the environment notwithstanding the fact that the Msunduzi Municipality does not even have an environmental policy. In fact the findings indicate that there is not much notable change in terms of Councillors' attitude towards environmental management even after capacity-building workshops.

One of the Councillors interviewed, nonetheless, acknowledged that capacity-building programmes have been an eye-opener. This councilor stated that it is now easy to understand and support LA 21. He accepted that LA 21 issues are never discussed in ward meetings because of lack of understanding by representatives of the communities. One other councillor has even asked the LA 21 committee to submit to the Executive Committee for a change of name because constituents do not understand what LA 21 is. This is a member of the LA 21 committee, and this points to the fact that some of the participants in the committee do not know the historical background of LA 21. Politicians and officials attend training together, and this creates an interesting mix of different viewpoints.

The Chairperson of the LA 21 Working Committee when asked about the environmental policy replied that there is a national environmental policy, and according to his own understanding municipalities do not need to have their own. Clearly this indicates lack of understanding since the national environmental policy is only a framework. In fact, a state of the environment report for KZ225 does not exist. The Chairperson of the LA 21 stated that they are in the process of developing one. He mentioned that Dr. Neville Quinn of the Center for Environment and Development (CEAD) at the University of Natal is still in the process of developing a comprehensive report, which will be submitted to council in March 2002.

5.3.3 IDP Steering Committee

The Municipal Structures Act provides that every municipality should have its own Integrated Development Plan (IDP) be environmentally sustainable. The new IDP is the basis upon which all development in the city will occur. Provincial government is outside of this process unless the development plan clashes with particular objectives of the province. This proves, therefore, that the authority for decision-making has been delegated to the lowest level of public authority.

The Msunduzi Municipality does not have the IDP committee at the moment. What transpired from the interview with the City Administrator is that there is in fact the IDP Steering Committee in the interim. It is composed with representatives from the Executive Committee, trade unions, municipal officials and Councillors. The City Administrator acknowledged that LA 21 Working Committee is not represented, and therefore the steering committee at the moment does not include LA 21 brief. This state of affairs clearly is indicative of the municipality's inadequate knowledge base and not taking LA 21 processes into their mainstream activities.

Since the adoption of the LA 21 programme by the Council in 1998, the IDP was nonexistent until the appointment of the new Municipal Manager, who encouraged show the need for this structure for improving municipal services. The Steering Committee has just completed phase one of a five part series and made a presentation to the Executive Committee. The Manager is very active in trying to integrate municipal activities. For example, there are weekly meetings of all departments, and there is some degree of cooperation. Services provided by the municipality have environmental dimensions, and each department. What is learnt from the interviews is that there is hardly any department by department issues being established so that an integrated working group develops an inter-departmental strategy. The City Administrator brought to light that cooperation in the municipality is not automatic, people still need to be motivated a little. The Municipal Manager has given the IDP Steering Committee a deadline of the 25th March 2002 for a final report.

This requires the active participation of key sectoral actors such as industries and neighborhoods affected by industrial pollution, for example, and a willingness to evaluate real problems in each

department or sector. The advantages of this approach are that it focuses on operational problems in each sector or service and it results in practical, institution specific recommendations. It should be noted however that even though this approach is getting complimentary reviews, it might not identify and address the most important environmental issues in Pietermaritzburg, and tend to reinforce the existing sectoral structure or service delivery system. There is a need therefore for an overall strategy that would place environmental policy in a broader view of sustainable development. The findings indicate that administrative processes do not promote sustainable development goals in the Msunduzi Council so that the preservation of the environment becomes part of the economic development strategy.

5.4 Participatory Approaches

Every government at any point in its tenure enjoys a certain level of support and credibility. Different social groups with particular interests and objectives, support government, are neutral towards or oppose its policies. It is against this background that greater public participation be regarded as a reform strategy for government to create an opportunity for the public to influence decision-making on policies that affect them. The advantage of incorporating different stakeholders into the decision-making structures is that people are less likely to oppose a plan in which they have participated. According to Turner and Hulme (1997) provide a strong warning to those people who regard participation as a “free good, desirable in unlimited quantities. According to Turner and Hulme (1997:114), “participation has a large cost for the poor and they will invest in their participation when they believe it will secure them valuable benefits.” While the concept of participation may seem simple, putting it into practice is not.

One of the objectives of the study was to find out how public participation in the LA 21 has been encouraged. Publicity of LA 21 and activities was encouraged using a variety of approaches.

5.4.1 Advertisements

The first approach that was used to solicit public participation in environmental affairs was through advertisements that were placed in the Natal Witness and Echo. Echo is a Natal Witness sister newspaper published once a week about community issues. It is government sponsored, and has advertisements in Zulu in order to accommodate a wide spectrum of readership. Three

hundred or so responses were received from people who were interested in being part of the LA 21 Committee, but this number has since collapsed. The Municipal Chief Health and Environmental Officer is of concern that this state of affairs is influenced by lack of focus by the working committee. He maintains that the committee has good intentions, but has spread its energies widely. None of these intentions have been realized, and this has led to a number of participants finding good reasons not to attend meetings. The Environmental officer puts forward the idea that LA 21 Working Committee should be an umbrella body, with a collection of forums that have common interests such as a forum on waste, air quality. These forums, he indicated, would draw up its own plans to be followed up by the umbrella body. He maintains there will be a considerable environmental impact if this route is followed.

5.4.2 Consultation

The second approach is through consultation of stakeholders. Some people were invited into the LA 21 because of their known interest and expertise in environmental affairs. An example of those consulted are the Institute of Natural Resources, Center for Government and Policy, Umgeni Water and Center for Environment and Development. In order to reach a wider spectrum of the population, an environmental forum was established.

5.4.3 Environment Forum

The environment forum is a representative body within the Msunduzi Municipality, which as an environmental watchdog for the whole municipal area, and acts as an umbrella body for other committees and organizations dealing with environmental matters. The terms of reference of the forum are to promote the improvement of the environment through networking, and assist the Msunduzi Municipality in the implementation of LA 21 and in the formulation of an environmental policy, through the input of all stakeholders. Better yet, the forum is charged with developing a community participation strategy.

5.4.4 Pamphlets

Pamphlets were distributed in wards and among interest groups. These pamphlets were written in both English and Zulu. Public participation in the process seems to have followed a fairly elitist approach. However, this has proved to be a not so effective participatory approach. All in

all participation has been minimal. The demand for sufficient information is closely connected with the question of how the public can be reached, how the information is to be given and where it will be necessary.

5.5 Evaluation of Participatory Approaches

NGOs and other civil society groups have a critical role to play in LA 21 activities by contributing ideas and spreading knowledge and involvement. The Msunduzi Municipal Council's interaction with communities is key to the success of the LA 21 plan. Thus education and training in environmental issues, information campaigns and awareness building are crucial in meeting these objectives. However, this seems like an impossible goal given lack of resources and skills in the municipality on how to effectively employ participatory approaches.

Participatory approaches discussed above did not lend the public sufficient knowledge to participate in decision-making and become active partners. Four component elements of social capital at community level were overlooked. Social institutions such as schools and perhaps most important the churches and community and family are essential to the reproduction of society's members and to their maintenance. Collective efforts are thus a fundamental basis for effective functioning and providing substantive knowledge about environmental issues.

Cultural patterns of different communities play a critical role as a form of social capital in affecting the chances for the success of the community in economic and social endeavors. The problems are well known, the public lacks basic knowledge about many environmental issues, and a culture of conflict of interests prevails such as economic growth and sustainable development. It has been established that most of the time people are interested in their well being, especially people from the disadvantaged communities. In a case in point, there are people ranging from well-educated and trained professionals earning high salaries up to people recently arrived from rural areas who may have never received any formal education. Despite this all people need and are entitled to a healthy environment, and should be afforded equal opportunity to participate in environmental decision-making. Public awareness of environmental problems has increased the responsibility of citizens in thinking and talking about solutions.

Relations in a community characterized by diverse cultural patterns can be governed by the norms of social capital. Another element of social capital that was overlooked by the participatory approaches is the mode of communication. There are some members of the community who cannot read nor write. There is a demand for sufficient information that is closely connected with the question of how the public can be reached in the language that they can understand so that they can make a more rational understanding of the issues at hand.

The approach was more elusive, and therefore excluded other members of the community to know and appreciate what LA 21 is about and its benefits. This brings us to the next element of social capital, the psychological characteristics of different people in the Greater Pietermaritzburg. Because of the exclusionist nature of the approaches employed, some people were denied the opportunity to trust other people and openness to new experience of working together with the council for the common good. It is perhaps possible that given a chance, those that are not participating would prove to be more influential stakeholders in the LA 21. Accordingly the environment policy should comply with certain requirements of equity, justice and fairness. These qualities are summed up in the concept of public interest, and run through the principles of LA 21, the Constitution of the Republic as well as NEMA. A case in point is Section 2 (4) (f) of NEMA that provides for public participation in environmental decision-making. It grants that participation of all interested and affected parties in environmental governance must be promoted, and all people must be given the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation, and participation by vulnerable and disadvantaged persons must be ensured.

Some of the constraints that arose include poorly planned participation processes that are open-ended and not realistically budgeted for. It seems as though these approaches were just a token effort by the council. It is in this regard that NEMA puts to the test the spirit of cooperative governance and its mechanisms such as deployment of resources, jurisdiction and protocol which is an extraordinary diplomacy in intergovernmental relations.

5.5.1 Limitations of NEMA

One of the prescriptions of the Act is to put people and their needs in the forefront of development. It is clear that South Africa's policies and laws require integration of environmental concerns in strategic planning and decision-making and local government partnership with civil society. The Act is, however, less clear about the exact mechanisms to achieve this. There is much confusion over what this actually means, and most local government officials do not have much experience in fostering and accommodating community participation methods. The Act, in addition, omits how equitable and effective participation can be achieved given the diverse and historical background of the country and its people. There is no mandated funding for citizen support services and development in the three spheres of government.

5.6 LA 21 Working Committee

LA 21 seeks to reflect the needs, resources and hopes of a local community and therefore a partnership with local authorities is essential. Public participation in environmental management and decision making is organized around groups of organizations within and outside of government.

The LA 21 Working Committee is a non-statutory and voluntary body involved in exchange of information. The Local Agenda 21 in the Msunduzi Transitional Local Council came into being following the KwaZulu-Natal LA 21 conference held in Durban on the 27th June 1997. The objective of the conference was to focus on information dissemination about LA 21, drawing up guidelines for sustainable development, and in principle support and motivation for adoption of LA 21 initiatives by municipalities was encouraged. The Msunduzi Municipal Council, in the same vein adopted Local Agenda 21 in 1998 to address environmental problems and to encourage the involvement of all interested parties at the local level. It was first initiated by an informal committee, which had been meeting on a regular basis to address the principles of LA 21. The Council then established its own committee, which consisted of representatives from KPCA, GREEN, Institute of Natural Resources, Talbot&Talbot, and the City Planning department. Environmental and public interest group representation on the one hand and

grassroots community empowerment on the other is a very significant one in environmental regulation.

The terms of reference of LA 21 Working Committee are two-fold: to monitor all aspects of LA 21 and advise the council on how the principles can be incorporated into all future plans. Secondly, to communicate with all relevant groups at national, provincial and local spheres on LA 21 issues. build on existing political and governance structures such as parliaments, in order to strengthen participation and representation. The ultimate aim is increased accountability, transparency and efficiency of these governance structures in promoting sustainable development and reducing poverty.

This group deals with the principles of LA 21 and devise mechanisms of how they can add value to municipal functions. It can therefore be called an environmental network. It contains a number of actors from politicians, municipal organizations and civil society groups. A committee meets regularly, and although is an ideal channel to deal with various environmental issues brought to the table, for example, mapping of wetlands, gardening projects, etc, this does not constitute implementing it. The Director of KPCA is of the impression that LA 21 is not being implemented within council. The commitment of local authorities to work in partnership with communities is essential for the implementation of Agenda 21.

5.7 Composition of LA 21 Working Committee

Table 2: Politicians

| COUNCILLOR | PROPORTIONAL REPRESENTATION | WARD | PARTY |
|------------|-----------------------------|---------|-------|
| C. Gardner | ✓ | | ANC |
| McArthur | ✓ | | DA |
| D. Zuma | | Ward 4 | ANC |
| X. Ngcobo | ✓ | | IFP |
| M. Msimang | | Ward 24 | ANC |
| R. Pillay | ✓ | | MF |

5.7.1 Representatives of Constituencies

People have different ideas of what democracy is. To some it means electing a representative and getting on with their own lives. To others it means direct and constant participation of citizens in government decisions. The municipality interacts with communities through their representatives in the LA 21 Working Committee, and other forums such as the Air Quality Forum. Most of the organizations that are members of the Air Quality Forum are also in LA 21. Councillors have to show their constituencies that representative democracy can work in the interests of the community, otherwise the whole system of local government can be discredited. Elected representatives receive a mandate from voters to act for them, but they are expected to remain accountable to voters and be transparent and open in their activities. Representatives are elected for a fixed term and if voters are dissatisfied with them they can vote them out in the next round of elections.

Table 3: Municipal Officials

| OFFICIAL | DIVISION |
|---------------|----------------------|
| J. P. Haswell | Legal |
| Van der Merwe | Legal |
| Bartholomew | Parks and Recreation |
| Proome | City Health Division |
| G. Holmes | City Planner's |
| Harrison | City Engineers |
| B. Morton | City Administration |

5.8 Cooperative Governance

The national Department of Environmental Affairs and Tourism, the Provincial Department of Traditional and Local Government Affairs and the Department of Agriculture and Environmental Affairs are key players regarding integrated environmental management and decision-making in KwaZulu-Natal. The Msunduzi municipality is the ultimate body that makes decisions on their development plans. The Provincial Department of Traditional and Local Government serves as a monitor to ensure that development decisions by the municipality are sustainable and take cognizance of the broader environmental issues. The new IDP is the basis upon which all development in the KZ225 area will occur. Provincial government is outside of

this process, unless the development plan clashes with particular objectives of the province. The understanding is that the authority for decision-making has been delegated to the lowest level of public authority.

It was pointed out that there were matters, which arose at the LA 21 Working Committee that required liaison with the Province. The Executive Committee resolved that the LA 21 establish an intergovernmental task team to deal with local environmental issues that required Provincial input. The team comprises of Councillors and officials, determined by the Working Committee. This relationship enables the Committee to be on constant updates regarding LA 21 developments, projects and funding opportunities as they arose.

Councillors are policy-makers and serve the interests of the public politically, whereas officials are professionals who are charged with implementing the council's decisions. However, in a quest for good governance it becomes clear that accountability and democracy are inseparable. Furthermore decentralization of power to locally elected and thus accountable representatives is the essence of democracy. Therefore, the decision-making process for the Msunduzi is always kept as close as possible to the people.

The relations between municipal departments are a little bit erratic. The Acting City Planner confided that the departments of Planning and Engineering need to work in such a way as to be in harmony with the latest environmental thinking. The Director of KPCA states that the various council departments have not been brought on board and most are unaware of what LA 21 is, or how they can be involved, if not an 'environmental' department. The shortcoming has been in training and awareness principles, as well as acceptance by top management also through lack of understanding, probably.

Elected politicians and officials have organizational interests of their own. Politicians have interests in their re-election and their own careers. Officials on the other hand have interests in their careers, which might conflict, with career interests of politicians. They are concerned about what they see as the long-term interests of the departments, whilst politicians are more

concerned about achieving political goals. This is normally a short-term goal since their term of office is only five years. It is during this period that their campaign promises are to be realized.

It should be noted, however, that the interests of officials and politicians conflict, but within a department they have shared goals of economic growth, planning and sustainable development. Formal linkages between different departments of the municipality depend on the interpretation of the problem. The Acting City Planner stated that interaction between departments is perceived as a cause for delays in delivery.

5.9 Networks of Civic Engagement

Table 4: Civil Society Organizations

| NGOs/CBOs | BUSINESS | MEDIA | LABOUR | ACADEMIA |
|---------------------------------|-----------------|--------------|---------------|--------------------------------------|
| GREEN | PCCI | | | CEAD |
| Sobantu Environment Desk | | | | CENGOPO |
| EJNF | | | | Umgenezi Water |
| Cleland-Mkondeni Conservancy | | | | Institute of Natural Resources |
| Sizamekuhle Enviro Project | | | | |
| Heritage KZN | | | | |
| Sinethemba Youth Project | | | | |
| PMB Youth Council | | | | |

The characteristic feature of these organizations is that they entail no or little involvement by the municipality. Their desired task in the LA 21 committee is performed on a voluntary basis. Their members are not compelled to perform a task by the municipality. They are involved in LA 21 and environmental governance so as to serve public policy goals and more significantly

for reasons of self-interest. Voluntary interests are important tools for implementing social policies.

The primary advantage of promoting participation in public policy is that it does not cost the municipality anything, unless of course it chooses to provide grants for these efforts. For instance, KPCA and Sobantu Environmental Desk got money from the municipality for their cleaning campaigns. The municipality has also contributed in funding the Recycling Center for waste management by the community of Sobantu. The financial assistance made it possible for the Sobantu Environmental Desk to purchase recycling equipment and containers for storage purposes.

Participation in environmental management and decision-making is inequitable because other organizations such as PMB Youth Council, Sobantu Environmental Desk, Sinethemba Youth Project, do not have anyone with financial resources or commitment to look after them. Most of the groups have little information to exchange because of lack of knowledge in environmental problems. It would be naïve to assume that local transition would be without problems. Nevertheless, this is where networks and relationships are built and mutual learning takes place. A new culture of governance and capacity building of other small organizations transpire.

5.9.1 Business

It is important to mention at the onset that PCCI is supposed to be representing business in the LA 21. However, what came out from the interview with the Director of PCCI is that there are four chambers of commerce divided along racial lines. These are the Midlands Black Chamber, Indian and Afrikaaner speaking chambers. Again, PCCI has 950 members who represent only 20% of white English speaking businesses in the area. It is against this background, therefore, that one can argue that by and large the business community is not adequately represented in the LA 21. Business and industries are the greatest polluters in the area and awareness in the business community is quite low. This attitude is not a deliberate negative attitude, but devoid of any meaningful environmental education. This is especially so in small and medium sized enterprises.

What to do about informal traders has been a standard item on council agendas for several years. Bylaws are being implemented to regulate informal trading, which contributes immensely to economic development. The findings of the study indicate that informal traders are not represented in LA 21. These are the most polluters in a quest to earn an honest living. The sector, according to the Deputy Mayor, is hostile and very difficult to deal with.

5.9.2 Media

There was an outcry from some of the respondents to the fact that environmental issues are not getting much publicity. Environmental NGOs do not seem to enjoy much publicity from the media unlike their counterparts advocating for HIV/AIDS awareness campaigns. There seem to be a common consensus among the participants in the LA 21 that environmental organizations do not enjoy much publicity and the media only reacts when there is a major disaster such as oil spills and wildlife protection. There seem to be a consensus among the stakeholders that the media look for newsworthy stories such as dramatic happenings rather than the earnest explanations of policies or actions. This might be because it is their ability to attract purchasers that build the foundation of their prosperity.

This claim was refuted by the reporter of the Natal Witness Environmental Desk that in his publications, he has written about things that were conceived differently by different players in environmental management. Environmental problems that are usually brought to the attention of the media are oil spills in the Duzi which are sometimes deliberate, and sometimes accidental; wetlands at Howick and Hilton. The reporter in charge of the environmental desk maintains that health and social needs are always encroaching into the endangered areas hence neglect of the environment, devoid of sound understanding. Despite this claim, it has been discovered that the media is not represented in the LA 21 though advertisements were placed in their newspaper.

The reporter on the environmental desk of the Witness was not aware of LA 21 in the Msunduzi Municipal Council, and stated that the Witness was never consulted. However, he stated that the Natal Witness has informal relations with GREEN. The media is normally invited to GREEN's functions and sometimes given information to publish. The informal relationship stems from the

fact that some of the Witness employees who have interest in environmental affairs attend meetings as and when GREEN convenes them.

5.9.3 Labour

Organized labour is not represented in the LA 21 even though they were consulted. The Director of PCCI contends that it is difficult to get labour to come to environmental seminars. For example, to date no representative of Congress of South African Trade Union (COSATU), which represents organized labour, has attended a single Industry and Business Environmental Education (IBEE) meeting. This clearly indicates that unions do not as yet see environmental issues as being an agenda item. They are interested in changing labour and human resource policies for the benefit of their members. Their commitment to environmental issues is very low, if any. Organised labour is not represented in the LA 21 committee as well.

5.9.4 Academia/Experts

Professionals from CEAD, CENGOPO, Umgeni Water and the Institute of Natural Resources possess a resource that is unavailable to the majority of the group. This creates a relationship of dependence and consequently social distance is established within the network because they possess a body of knowledge which is important for other actors, but which is technical, specialised and therefore not easily available. Some members of the network are frequently poorly organised, underfunded and have a very low density of membership. The overcoming of obstacles to improved living conditions depends on well-organized joined action as postulated by LA 21 principles. Universities can provide such capacity where it is missing, to help stakeholders carry out activities essential to effective environmental friendly processes and thus greatly reducing the number of expensive consulting firm experts, who currently provide such capacity where it is missing. Frequently, experts from the University and other private organizations such as Umgeni Water have led the way in showing the connections between environment, development and social issues, and in drawing up the implications for public policy.

There is no doubt that the conscious, visible actions of LA 21 Working Committee do not have an influence on policy. The organization of policy-making has a great impact on the influence

of these organizations in environmental management. The Msunduzi Municipal Council has committees, which provide the means for policy-making. The Executive Committee is the highest decision-making body in the council. Proposals and recommendations by the LA 21 Committee are taken to the Executive Committee to make decisions. This organization of policy-making exclude others, hence other interests do not have the same input into the policy process. This structure clearly defines the relations between public participants and the council in decision-making. Consequently, the main determinant of policy is not civil society, but municipal actors. The analysis of power relations informed by social capital comes into play. In other words civil society groups depends on government recognition and government power depends on the support of groups because this support increases the council's ability to implement policy.

5.10 Networking and Social Capital in the Msunduzi

Social capital is the raw material of civil society, created from the myriad of everyday interactions between people. It originates from people forming social connections and networks based on the principles of trust, mutual respect and norms of reciprocity. Putnam (1993) summarises social capital as a term, which refers to features of social organization such as, networks, and that increases a society's productive capacity. The social capital embodied in norms and networks of civic engagement seems to be a precondition for economic development as well as for effective government. Social capital facilitates social trust, coordination and cooperation for mutual benefit. Working together voluntarily increases social capital. Accumulated social trust allows groups and organizations to develop tolerance sometimes needed to deal with conflicts and differing interests.

The hypothesis of the study is that networks of civic engagement such as CBOs, NGOs, business, labour, media and government, are an essential form of social capital, and the denser these networks, the more likely that members of a community will cooperate for mutual benefit. For example, Willowton Oil was taken to court by enormous pressure that was exerted by different organizations in the network. This, therefore proves the hypothesis that networking build links and partnerships with others so that they have a more effective say and control over local issues. The Chairperson of Sobantu Environmental Desk gave an example of social capital

building in the network. He stated that in 1997, the INR, on behalf of the Sobantu Environmental Desk, approached GREEN to establish a working relationship since GREEN was already an established NGO, which provided training to members of the organization. One of the major contributions was to assist in proposal writing that was submitted for funding to the United Nations Development Program (UNDP).

Networks of civic engagement contribute ideas, spreading knowledge and involvement in environmental management and the emphasis is to local people that expressing their views on development ideas and changes that affect their quality of life. The findings of the study show that PCCI in an effort to encourage environmental management in their membership of small and medium-sized enterprises (SMMEs) has establishing Industry and Business Environmental Education (IBEE) as a business support center and capacity building in terms of environmental education. The intention is to benefit businesses that find it difficult to allocate funds for environmental management systems. The Director of PCCI submits, however, that there seem to be a deliberate attempt on the part of local government to relax regulations when it comes to smaller firms. This is so because they are viewed as sources of employment and development in the face of serious socio-economic problems. Businesses are interested in maximising profit. In order to achieve this, they tend to do away with items that affect the bottom line, especially in the short term. Apart from the cost angle for environmental management systems, SMMEs are pressed for time to distribute and attend meetings. Consequently they tend to put environmental issues aside, especially if no one is making noise about it.

Most of the activities of CBOs are directed at local communities, usually information based and activity based. Information based activities are in a form of publications and newsletters, and activity based are recycling plant at Sobantu. The most active have included KPCA, GREEN, Sobantu Environmental Desk, the University of Natal's Institute for Natural Resources, CEAD and Umgeni Water. The Air Quality Forum is made up of members who also participate in LA 21 discussions. It interacts closely with the business community. For example, there is an amount of R160 000.00 deposited in a trust account, administered by the Institute of Natural Resources. Contributors to this fund are businesses that are gradually becoming environmentally conscious in their processes. The business community has an incentive to

contribute to the fund because they get a tax rebate on money donated. The money is withdrawn monthly to measure air pollution.

Networks and social capital help to ensure continuity even after changes of Councillors and staff has taken place. This is most important because the objectives of LA 21 are not disrupted. Networking is a continuous process and newcomers will just have to familiarize themselves. This hypothesis is confirmed by the continuation of the Committee even after elections and new councilors carried on with environmental issues. This, however, is despite environmental governance not given much attention in the previous council.

These organizations work in partnership for the purpose of sharing information and supporting and collaborating with each other in translating the principles of LA 21 into practice. More importantly, they create networks for capacity building. They emphasize to their local communities to exercise their constitutional rights of greater participation in planning and decision-making processes.

5.11 The Public's Decision-Making Role

It is undoubtedly the case that civil society has a number of resources to influence environmental policy in the Msunduzi Municipal Council. Participation can be defined as an activity undertaken by one or more individuals previously excluded from the decision-making process in conjunction with one or more other individuals who were previously the sole protagonists in that process. The case in point is the Msunduzi Municipal Council and civil society. The crucial question is whether or not citizens really participate given the openness of the local government system. This is based on the premise that there are many participants with diverse interests. An example closer to home is the issue of the mapping and conservation of wetlands. The results of the study reveal that the discussion on wetlands in the LA 21 seem to be on the agenda in every meeting so much that attendance has really gone down, and can be explained in terms of conflict of interests. The Director of the Cleland-Mkondeni Conservancy made several submissions to the LA 21 and a presentation to the full council about the importance of conserving the wetlands.

The role of civil society in public decision-making demonstrates the importance of networking in environmental governance. However, the LA 21 Working Committee lacks autonomy due to an absence of political authority and the inability to implement policy without the cooperation of the Executive Committee. Participants are granted access to environmental deliberations in the council. However, this network has not developed into a policy community. A number of powerful actors are involved in the network, and each have different views on how the principles of LA 21 can be implemented, and how they should be achieved, and this makes it very difficult for the council to implement the policy desired. This is especially so in that the LA 21 is not budgeted for, and other social pressing issues get preference. It is therefore understood that participation in environmental governance in the Msunduzi Municipal Council is partial. That is, participants are under the impression that they are contributing, while the reality of it is that final decision-making is a political prerogative. The Deputy Mayor stated that very few councillors are passionate about environmental affairs, and are therefore not seen as a priority in their agenda.

From the interviews with different stakeholders, it has been found that there is a growing concern for the environment and this is a commendable step towards sound environmental consciousness in Pietermaritzburg. This was prompted to a large extent by the fact that the quality of life appeared to be at stake for people living in the vicinity of industrial areas. Most of the groups and organizations are active within the boundaries of their own communities because of the need to confront the environmental disasters that are affecting their quality of life. These disasters made the public increasingly aware of the potential dangers of environmental pollution, and therefore, they insisted on better and safer regulations and more openness in matters of ecological importance. This answers the other objective of finding out whether successful public participation rely on formal networks of cooperation.

5.12 Conclusion

There is no doubt that the conscious, visible actions of LA 21 Working Committee do not have an influence on policy. The organization of policy-making has a great impact on the influence of these organizations in environmental management. The Msunduzi Municipal Council has committees, which provide the means for policy-making. The Executive Committee is the highest decision-making body in the Council. Proposals and recommendations by the LA 21 Committee are referred to the Executive Committee for final decisions. This process of policy-making excludes others, hence other interests do not have the same input into the policy process. This structure clearly defines the relations between public participants and the council in decision-making. Consequently the main determinant of policy is not civil society, but municipal actors. The analysis of power relations informed by social capital comes into play. In other words civil society groups depend on government recognition and government power depends on the support of groups because this support increases the council's ability to implement policy.

Much environmental destruction is extremely difficult for the political system to deal with, since the damage often shows up many years after environmental damage takes place. It is now clear that prevention is much cheaper than trying to clean up the damage after it has occurred and when the nature of politics did not lend itself to long term planning. Usually politicians have a rather short-term approach, as do many businesses. However, both are judged on their performance in handling immediate problems such as housing, job creation and profit. This encourages a tendency to take actions showing immediate results. Such actions further the politicians' chances for reelection and the businessman's profits or chances for promotion. Yet environmental problems often call for laws and long-term decisions that are directed at settling conflicts that arise among people living together in a community and achieving commonly desired goals.

Transforming local government remains difficult and challenging for the Msunduzi Municipal Council. It is clear that South Africa's policies and laws require integration of environmental concerns in strategic planning and decision-making. They are less clear, however, about exact mechanisms to achieve this. Policies and laws now require local government to work in

partnership with civil society in order to lend a helping hand in development efforts, a feature of a democratic society, and a sign of transition to good governance.

The research findings make clear that public participation and its evaluation are complex phenomena. Participation is expected to play multiple roles in environmental policy, including solving the ills of a conflictive regulatory system, restoring democracy, and empowering the public in decision-making. Even when it is realized that there are various useful and legitimate mechanisms for involving the public, it is found that some very important goals such as rebuilding trust in government efforts are very difficult to achieve. Notable among these would be cases where equity considerations make it clear that a particular group should have its interests met. Business and industry are also unaware of LA 21 and as such, are not contributing to its implementation in the workplace. There is an attempt to address this through the PCCI but not enough is being done.

This demonstrates that public participation can be very effective in expressing the role and the responsibility of the public. The Air Quality Forum interacts with the communities such as the Ratepayer's Association, Cleland-Mkondeni Conservancy, Sobantu Environmental Desk, EJNF, GREEN, have made the public increasingly aware of the seriousness of air pollution and water pollution. One of the objectives of the study was to establish the extent to which the LA 21 committee is effective in addressing environmental problems in the Greater Pietermaritzburg. From data collected, one can safely say that the committee has good intentions, but has its energies widely spread. Given lack of power to make decisions, as well as inadequate knowledge of environmental issues by members of the committee, this puts a strain on the efforts expended in addressing environmental problems because nothing is done. Recommendations are put forward to the Executive Committee for approval, but no follow-ups are made.

The municipality does not have a state of the environment report. Without this report, the objectives of LA 21 Working Committee becomes an empty notion because plans for improvements are based on ideas instead of facts. Participants just do not know how to put their environmental priorities due to insufficient knowledge of the subject and to some degree, insufficient knowledge of the language. Knowledge about the state of the environment would

allow the committee to carry out the role envisioned. If the report becomes available, a greater understanding of LA 21 principles and sustainable development is possible because people will participate intelligently and optimally.

Because education is a vanguard to behavioral changes, it plays an increasingly important role as environmental priorities come to focus on issues that are viewed as crucial by a collective. In addition, education ensures that the technical complexity of issues does not hamper the public's ability to participate in decision-making. The Chairperson of Sobantu Environmental Desk acknowledged that sometimes it is very difficult to follow on what is being discussed in LA 21 because of the complex and technical nature of discussions at hand. He said sometimes he would rather wait until the meeting adjourns and then would ask someone, whom he is comfortable talking to and ask what was being discussed. Proceedings in LA 21 meetings are conducted in English, which is a barrier to some participants. It is apparent that continuous stakeholder involvement is affected if people who are representing communities do not have sufficient knowledge to enable them to deliberate issues. It is wise to recognize that some of the constraints that arose include poorly planned participation processes that are open-ended and not realistically budgeted for or are a token effort by the organizers. The dynamics of interaction between stakeholders determine the success and effectiveness of programs, and ultimately promote development that is environmentally and economically sustainable. In this regard, no one sector will dominate environmental affairs.

Limited job growth remains an overreaching concern, and frustrates government efforts to promote prosperity. Increasingly, it is recognized that informal trade services serve as a safety net and source of jobs that require little government expenditure to maintain. In fact, informal trade indirectly contributes to government revenue. This segment of the economy is flourishing, playing an important role in local development by supporting jobs and spreading business expertise even as the formal sector employment declines. One gets the feeling that informal traders are not called into the LA 21 because they are the most polluters, but more importantly, they are in a position to make an honest living. Therefore, Council and Municipal officials are tolerant of the pollution because of their own self-interest in power, prestige and popularity. Howlett and Ramesh (1997:20) state that "democratic governments operate in a form of

perpetual electoral campaign in which the types of decisions they take will vary according to the timing of the electoral cycle. The political setup therefore makes a big difference in policy implementation.” For example, the ward councillors’ reelection into office depends largely on delivery. In this regard, the issue of the environment is not a priority.

What to do about informal traders has been a standard item on Council agendas for several years. The bylaws are being implemented so as to regulate informal trading, which contributes immensely to economic development. It is therefore imperative for Council to bring to the attention of the informal traders the importance of keeping the environment clean. Bringing them into the LA 21 Working Committee can do this. It is anticipated then that this will lead to self-regulation where people will learn to clean up their sites, thus providing a market environment that will be respected and bringing in more money for the traders. The success will depend on a workable partnership between the Council, traders, the public sector and the broader community.

5.12.1 Further Research

There are a number of areas that can benefit from further research. While citizen participation is important to ensure democratization of the process of policy-making and to improve the quality of information provided to make appropriate policy decisions, how such participation can be acquired has become another pressing issue. Further research on how various procedural factors affect the outcomes of interest will be important for designing and evaluating participatory programmes in the future.

6.0 APPENDICES

6.1 A Time Line of Activities

| MONTH | ACTIVITY | TIME |
|---------------|--|-----------------------------|
| May | Consultation Proposal 1 st draft | 1 week 1 week |
| June | Proposal modification Literature Review Theoretical framework | 1 week 2 weeks 1 week |
| July | Questionnaire construction Modification Literature Review | 1 week 1 week |
| August | Literature review Theoretical Framework | 2 weeks 2 weeks |
| September | Portfolio (1) submission Theoretical Framework Data collection preparation | 4 weeks |
| October | Data Collection Preliminary analysis Corrections | 2 weeks 1 week 1 week |
| November | Report writing Corrections | 3 weeks 1 week |
| December | 1 st Draft submission Corrections | |
| February 2002 | Final report submission | |

"A Clean, Safe Environment Concerns Everyone"

6.2 An interview schedule for Local Agenda 21 Working Committee Members

Sir/Madam,

*I am a student at the University of Natal-Pietermaritzburg engaged in a research project as part fulfillment of Master's in Policy and Development Studies. The research looks at the participatory approaches to environmental Discourse and Decision-Making in the Msunduzi Council LA 21. To this end, you are among the many survey subjects from whom I wish to learn. I wish to ask you a few short questions, mindful of your busy schedule. All the information you provide will be kept in **Strictly be confidential, unless agreed to otherwise.***

I. PROFILE/BACKGROUND

1. Name of organization
2. Summary of activities
3. Position held/responsibility
4. Support and funding for public participation
(Institutional capacity)
5. Gender 1.Male [] 2.Female []
6. Age - 20 []
 20 - 30 []
 30 - 40 []
 40 - 50 []
 50+ []
7. Level of spoken and written literacy skills
8. Socio-economic and ethnic characteristics.
9. Previous position/employment
10. Race
11. Waste treatment/disposal facility in the area of residence
12. Language

II GENERAL KNOWLEDGE ABOUT THE ENVIRONMENT

- 13 What is your understanding of the environment?
- 14 What is the state of the environment at the moment in PMB?
- 15 Do you think every citizen should take action to prevent environmental damage?

III Knowledge about LA 21?

- 16 Do you know/have you heard of LA 21?
- 17 How did you know of LA 21 before becoming a member of the LA 21 Working Committee?
- 18 What are its underlying principles?
- 19 How long have you been a member of LA 21 working committee?
- 20 Do you know of how the Msunduzi Council proposes to put LA 21 into practice?
- 21 To what extent is the LA 21 effective in addressing environmental problems in Pmb?
- 22 What roles and functions should be performed by the LA 21 working committee?
- 23 How did you become a member of the LA 21 working committee?
- 24 How often do committee members meet?

IV Civil society participation in environmental governance

- 25 How is public awareness in your organization about the environment encouraged?
- 26 How has public participation been encouraged in environmental decision-making in the Msunduzi Council LA 21 working committee?
- 27 Should they do more ... awareness strong enough in PMB? (Elaborate)
- 28 How culturally diverse are members of your organization?
- 29 Do citizens in general, have access to environmental information?
- 30 Does your organization have access to council information?
- 31 Who provides Council information?
- 32 Is it easy/difficult to access?
- 33 Do you see continuous stakeholder involvement leading to acceptance of basic legitimacy of regulations?
- 34 Do you know how LA 21 Working Committee fits in within Council as a whole (structure)?
- 35 What recommendations have been put forward to the Council regarding environmental management?
- 36 Have they been implemented?
- 37 What is the general attitude of the Councillors in terms of the environment
 - apathy
 - its new to them
 - not a priority

- don't know

- 38 What are the intergovernmental relations between the council, regional and communities in terms of the environment?
- 39 Is there strong/sufficient awareness of LA 21 to councillors and officials?
- 40 How do municipal departments relate to LA 21?
- 41 Does the LA 21 Working Group have any delegated authority?
- 42 What role does the LA 21 Working Group has in the IDP process?
- 43 How can the LA 21 Working Group add value to the local government activities?
- 44 Who sits in the IDP Advisory Committee?
- 45 How can the Msunduzi Council go about implementing LA 21?

Thank you very much for your time.

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7.6 A list of interviewees in Pietermaritzburg

1. *Councillor Zuma*
8 /11/2001
2. *Mr. Gavin Holmes*
City Planning Department
8 /11 2001
3. *Mr. Hilton Rider*
Environmental Health Department
8/11/ 2001
4. *Mr. Sandile Ndawonde*
Greater Edendale Environmental Network
9/11/ 2001
5. *Mrs. Barbara Morton*
City Administrator
10 /11/2001 2001
6. *Ms. Dee De Bruin*
Keep Pietermaritzburg Clean Association
10 /11/ 2001
7. *Mr. Kwazi Mngadi*
Sobantu Environmental Desk
21/11/ 2001
8. *Councillor Cilin Gardner*
Chairperson of LA 21 Working Group
12 /11/2001
9. *Mr. Gregg*
Natal Witness
12 /11/2001
10. *Mr. Andrew Laymen*
Pietermaritzburg Chamber of Commerce and Industry
17/11/2001
11. *Mr. Rod Bulman*
Phelamanga Projects
20/11/2001

12. *Mr. Makenete Maduna*
Department of Traditional and Local Government Affairs
20/11/2001
13. *Councillor Z. I. Hlatshwayo*
Deputy Mayor
21/11/2001